

# **2004- 2008 Regional Plan**

## **U.S. Environmental Protection Agency Region 3: The Mid-Atlantic Region**

Delaware, District of Columbia, Maryland  
Pennsylvania, Virginia, West Virginia

**April 2004**

*Message from the Regional Administrator*  
*April 2004*

I am pleased to present Region III's Strategic Plan. Our Regional Plan provides strategies and approaches that transform EPA's national environmental goals and objectives into meaningful results for the States and Region III over the next five years. The Regional Plan is a key component of a more streamlined and open process for reaching agreement on key operating year priorities and Regional performance. We have built upon the Environmental Council of States (ECOS) and EPA's Alignment Workgroup recommendations by continuing to involve all of our state partners in the development of the Regional Plan. In addition, Maryland, Virginia and West Virginia have pilot projects with ECOS to enhance strategic planning, Performance Partnership Agreements and Performance Partnership Grants between those states and EPA.

We began collaborating with our state partners in the priority setting process by identifying joint priorities at an Annual State Secretaries meeting in May 2002. We reaffirmed those joint priorities in June 2003. The priorities include: Watershed Restoration, Environmentally Responsible Development, and Sensitive Populations. These joint priorities, along with additional state input, were integrated into the Regional Plan.

In addition to these efforts, in January 2004, an operational planning meeting was held with our state partners to develop an enhanced planning and priority-setting process. As a result, the Region is strengthening its collaborative approach by annually holding individual planning meetings with all interested states as well as State Directors' meetings with our Air, Water, Waste, and Enforcement programs to review current year performance, discuss targets for the upcoming year, and to identify future year priorities. We look forward to working with our national programs and state partners in furthering efforts to improve and strengthen the planning and priorities setting processes. The Regional Plan development has fostered stronger collaboration with our states and an increased awareness of our strategic direction for achieving greater environmental results.



Donald S. Welsh  
Regional Administrator

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## **Executive Summary**

In this strategic plan, Region III charts its five-year regional course of action for accomplishing national environmental objectives at the regional level. The Regional Plan describes environmental conditions in Region III and the strategies, tools, and measures the environmental programs will employ to accomplish the national and regional goals. Region III's state partners play an integral role in enabling the Region to achieve these objectives and have provided their input throughout the development of the regional plan. In addition, Region III has collaborated with its state partners to establish the following joint priorities: Watershed Restoration; Reducing Environmental Health Risks to Sensitive Populations; and Enhancing Environmentally Responsible Development. The regional activities that support these joint priorities are highlighted throughout the plan. The contents of the plan are divided into five chapters: Regional Overview, Regional Strategies for Achieving National Goals and Objectives, Cross-Goal Strategies, Regional Accountability, and Partnerships.

The first chapter, the *Regional Overview*, paints the overall picture of the unique drivers and trends (e.g., environmental, geographic, demographic, political, and economic) that affect the environmental work in the Region. These drivers include regional environmental stressors, which Region III strives to alleviate. These include urban sprawl, resource extraction, and forest fragmentation for native species. Region III also targets its work toward protecting water quality, a challenge for this area, where pollution from sources such as agriculture, storm water runoff, acid mine drainage, and runoff from concentrated animal feeding operations increase nutrient and sediment loading to waterbodies. Air quality is also a concern for the region, where ground-level ozone, particulate matter, acid rain, and radiation all contribute to decreasing air quality, and deposition of air toxics and nitrogen compounds contribute to decreasing water quality. The Region has also been focusing on reducing the threat posed by the presence of hazardous materials as a result of terrorist activity; the Region had extensive involvement in response to the events of September 11, 2001, as well as in various anthrax cleanups. Additionally, this section provides an overview of and context for the Region's major priorities.

In the second chapter, *Regional Strategies for Achieving National Goals and Objectives*, a detailed discussion of the strategies identifies how the Region will support the national goals and objectives as identified in the national strategic plan.

The five national goals are: Goal 1- Clean Air and Global Climate Change; Goal 2 - Clean and Safe Water; Goal 3 - Protect and Restore the Land; Goal 4 - Healthy Communities and Ecosystems; and Goal 5- Compliance and Environmental Stewardship.

Each goal discussion is prefaced by a storyboard that visually summarizes the current state of environmental conditions in the region for the goal and selected highlights of the strategies, tools, measures, actions, and efficiency measures that are being developed to address the environmental problems.

### **Goal 1 - Clean Air and Global Climate Change**

One of the priority areas for this goal involves National Ambient Air Quality Standards (NAAQS). Partnerships with state and local governments, as well as the Ozone Transport Commission (OTC) are a key part of designating areas with poor 8-hour ozone and PM<sub>2.5</sub> air quality and implementing various parts of the NAAQS program to address these pollutants and resolve the remaining 1-hour ozone nonattainment problems.

Air toxics is another priority area. The Region's focus is to identify communities with significant risk of exposure to toxic air pollutants, and to work with concerned local stakeholders to design cooperative federal, state, local projects to minimize those risks. Region III is conducting a major community-based air toxics initiative in Philadelphia that addresses air toxics through: encouraging voluntary retrofitting of vehicles with emission controls and use of ultra-low sulfur fuel oil; studying air toxics sources, concentrations, exposure, and risk; and notifying the public how to reduce air toxics emissions and their exposure to air toxics. Region III will use Philadelphia as a model for other communities.

### **Goal 2 - Clean and Safe Water**

One of the Region's priorities in this goal is to work in priority places to achieve environmental results. The strategies used to integrate source water protection and watershed management include using data to identify specific geographic locations of environmental and public health concern and working with state, local, and regional staff to improve interstate waters, estuary programs, and other priority watersheds. For example, Region III is working with four selectees in the National Watershed Initiative to encourage successful community-based approaches to restore, preserve, and protect watersheds.

Another priority is to promote more sustainable approaches to local water and wastewater infrastructure and management. Partnerships will be formed with other federal agencies to promote Low Impact Development and other sustainable storm water management methods and with local governments for implementation of the on-site system management guidelines. Also, watershed-based solutions will be incorporated into CSO/SSO and other municipal plans.

### **Goal 3 - Land Preservation and Restoration**

One of the Region's priorities in this goal is to accelerate construction completions at National Priority List sites. Region III will utilize HQ funding for EPA-lead sites with construction completion potential and employ the Enforcement First policy implementation to ensure responsible party participation.

An additional priority involves achieving a deadline for controlling human exposure at high priority RCRA facilities and controlling contaminated groundwater at high priority facilities. This will be accomplished through strategies including close collaboration; cooperation and coordination with state partners; and the use of innovative technologies and streamlined clean-ups.

### **Goal 4 - Healthy Communities and Ecosystems**

There are many priorities in this goal that contribute to many different aspects of healthy communities and ecosystems. One priority is to promote reduction of environmental and health related risks from lead. This will be accomplished through building capacity in state programs, fostering cooperative relationships, and conducting public outreach and outreach to the regulated community.

Another priority is to implement the Revitalization Strategy by leveraging lessons learned in the development of the Brownfields Program and applying them across all cleanup programs. This will be accomplished through identifying Superfund sites with high potential for development using cost recovery program information, Superfund potentially responsible party search information, and working with the Land Re-use Team. An additional priority is preventing water pollution and protecting aquatic systems in the Chesapeake Bay so that overall aquatic system health is improved and submerged aquatic vegetation thrives. The principle strategy is decreasing nutrient and sediment pollution loads to the Bay.

### **Goal 5 - Compliance and Environmental Stewardship**

One of the Region's priorities is enforcement and compliance. In order to increase compliance in areas that adversely affect human and environmental health, the Region will employ an integrated enforcement strategies approach including a combination of disseminating compliance assistance information; providing compliance incentives; conducting inspections and pursuing enforcement actions.

Another priority area for this goal is promoting the integration of pollution prevention into core program areas. This will be accomplished by: (1) supporting the states' pollution prevention efforts through responsible management of the pollution prevention state grant program; (2) developing an environmental management system (EMS) for the Regional Office; and (3) providing coordination and promotion of the Region's voluntary pollution prevention programs.

The next chapter, *Cross-Cutting Strategies*, describes Region III's approach to the Agency's cross-goal strategies. For the Agency's Partnerships strategy, the Region describes some of the unique partnerships in the Mid-Atlantic Region, including the Mid-Atlantic Integrated Assessment, the Mid-Atlantic Regional Asthma Initiative, the Mid-Atlantic Federal Partners for the Environment, and the Federal Agencies Committee. The Region is mirroring the Agency's Information strategy through activities such as developing and integrating environmental indicators across programs and promoting the use of new technologies.

Innovation is also a priority for Region III, as the Region seeks to create a culture of innovation that promotes original, inventive approaches to solving environmental problems.

The Region's Human Capital strategy contributes to the Agency's overall strategy through leadership and knowledge management, recruiting and retaining talented staff and managers, and ensuring accountability. Homeland Security is another strategy that the Region uses to guide its activities, which include critical infrastructure protection, preparedness, response, and recovery, communication and information, and protection of EPA personnel and infrastructure. The Region realizes that much of the environmental work it oversees is carried out by states, local governments, educational institutions, and not-for-profit organizations. Thus, the Regional Grants Management Strategy, which includes the use of Internet-based electronic grants and PPGs, is critical.

Science is another critical cross-goal strategy in Region III. The Region, along with its states, relies on science, technology, and scientifically defensible data and models to evaluate risk; develop and defend protective standards; anticipate future health and environmental threats; and identify solutions.

The following chapter, *Regional Accountability*, explains the Region's accountability and performance measurement tools, including program evaluations and national accountability initiatives. The Region's accountability tools include: (1) the Online Commitment System, which will replace the Memorandum of Agreement (MOA) by FY 2005; (2) the distribution of grant funds; and (3) meetings with states to review progress.

The final chapter, *Partnerships*, describes the Region's collaborative relationship with its state partners and how they have been involved in the Region's planning process. This section describes the processes through which Region III and its states jointly set priorities; develop performance agreements to define roles, responsibilities, and accountability; encourage innovation; agree upon performance measures; and jointly evaluate the results achieved.

In developing its Regional Plan, Region III has fostered a stronger collaboration with its state partners to arrive at a shared strategic vision for achieving greater environmental results. This collaborative network will strive to overcome challenges to yield positive environmental results now and in the future.

## Chapter 1 - Regional Overview

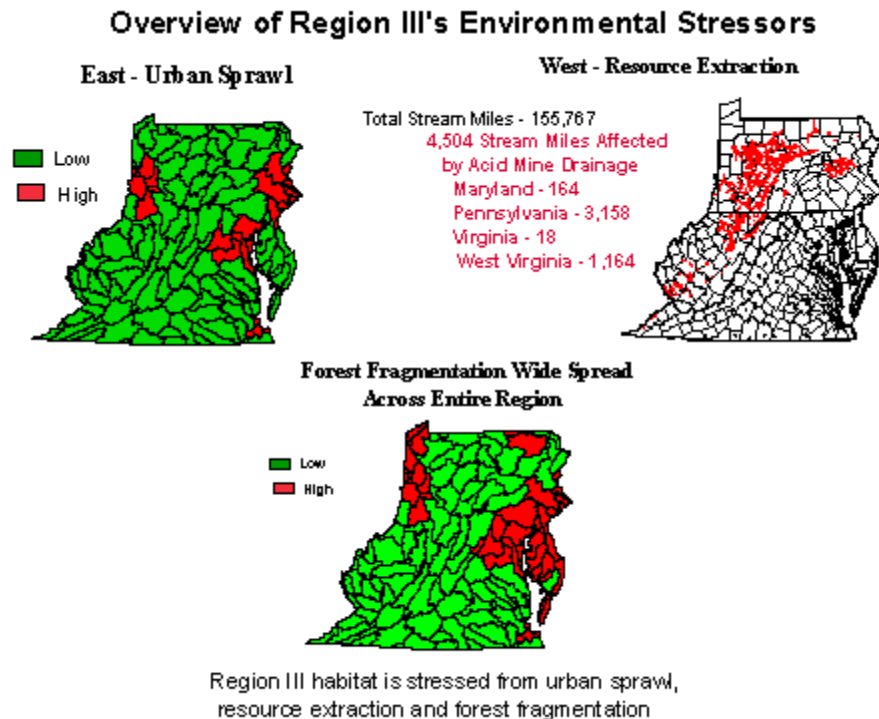
### Environmental Conditions in Region III

#### Background

Region III is diverse, both demographically and environmentally. Almost 28 million people live in the Region: 21 million, 75 percent in urban areas, and seven million (25 percent) in rural areas. The Region's land-cover is 70 percent forest, two percent urban, 25 percent agriculture, and three percent other types of land-cover. One hundred years ago, land cover was closer to 50 percent of uninterrupted, contiguous forest land, unlike today's forest cover which is sparse and fragmented, consisting of trees in parks and housing developments. The Region has old cities (Philadelphia, Pittsburgh, Baltimore, Washington DC, Richmond) with their inherent environmental and human health problems, such as unplanned development, air quality problems including risks posed by air toxics, and combined sewer overflows. It also has rural areas in West Virginia, Pennsylvania, and southern Virginia where poverty, resource extraction (e.g., mining, timber, and gas/oil), and animal feedlots are major environmental issues.

#### Environmental Stressors

Despite current environmental problems, environmental quality in Region III has improved markedly from the 1970s. At that time, the Region was the center of steel production in the United States. Although one source of industrial pollution, domestic steel production, has declined in recent years, the Region's oil refineries, chemical plants, coal-fired generating plants, pharmaceutical plants, and coal-mining operations continue to be major sources of pollution. As a result, the Region's ecology is stressed. Major stressors include: urban sprawl, resource extraction, and forest fragmentation for native species. Loss of habitat for native species is caused by urban sprawl in the east and resource extraction including: mountain top mining, long wall mining, and





logging in the west. Forest fragmentation, caused by development and agriculture, is also a problem across the region.

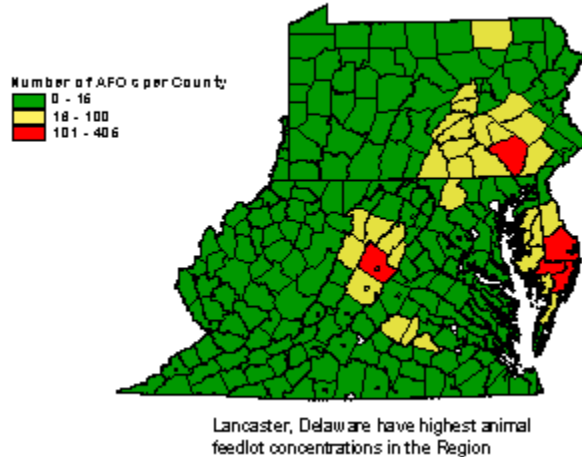
### Water Quality

Non-point source pollution particularly from agriculture, storm water runoff, acid mine drainage, and runoff from concentrated animal feeding operations, are the major stressors of water quality in Region III. Animal feedlot operations are concentrated near the Chesapeake and Delaware Estuaries. The main danger from all of these sources is higher nutrient and sediment loading to waterways.

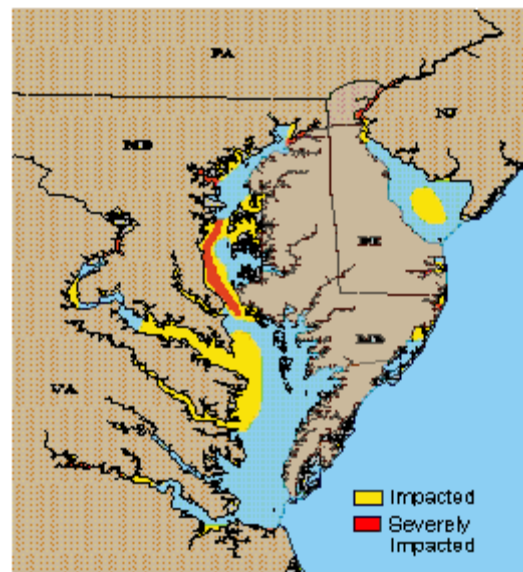
Runoff of nutrients contributes to water pollution problems and has been linked to outbreaks of *pfisteria* in the past. Lancaster County, Pennsylvania, and southern Delaware have the largest concentration of feed lots; more than 70 million chickens are produced each year in the Delaware Inland Bays Watershed, with Sussex County, Delaware, having the highest chicken production of any county in the United States. Nationally, EPA recently promulgated new regulations to address the special problems of writing water discharge permits for feedlot operations. Region III's states are in the process of upgrading and amending their permit programs to incorporate these changes.

Another water quality problem is the pollution of Region III's estuaries. The Region contains two of the nation's major estuaries, the Chesapeake Bay and the Delaware Bay. Both face multiple problems, including increased population growth, 40 percent from 1960 to 1994, which results in increased agricultural runoff and industrial pollution. The Chesapeake Bay Basin and the Ohio River Basin are also impacted by acid mine drainage from coal mines. The most persistent problem is drainage from mines that were abandoned years ago. Both estuaries are also impacted by nutrient and sedimentation problems associated with rapid development, expansion of

### **Animal Feedlot Operations Stress Estuaries**



### **Population Growth Stresses Estuaries**



Water quality in the Chesapeake Bay and Delaware Estuary is adversely impacted by population growth

impervious cover, and storm water runoff. The challenge is to balance population growth and the health of the estuaries. Most of the unplanned development occurred in the Chesapeake Bay watershed; approximately 20,000 acres of wetlands in the Chesapeake Bay Basin alone were lost to development from 1950 to the late 1970's.

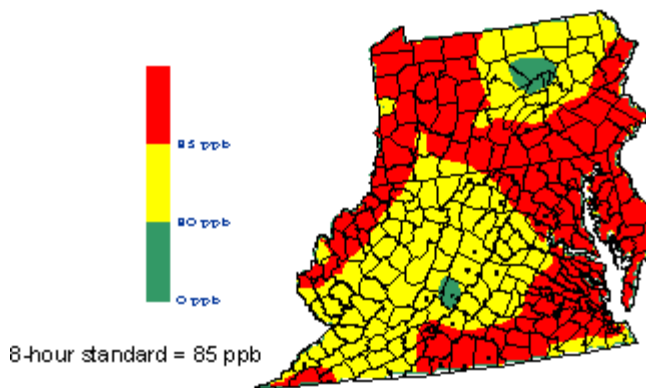
## **Air Quality**

### **Ozone**

Ground-level ozone is one of the Region's main air quality problems. The majority of the Region experiences ozone levels above the 8-hour ozone standard of 0.08 ppm. Ozone is caused by the reaction of Nitrogen Oxides (NO<sub>x</sub>) and Volatile Organic Compounds (VOCs) with sunlight in the atmosphere. Sources of ozone include: power plants, on and off-road motor vehicles, oil refineries, gasoline transfer facilities, chemical plants, and painting/coatings operations.

Ozone formation is exacerbated by the increase in motor vehicle miles driven, which is one result of urban sprawl. A substantial part of the ozone problem in Region III is caused by pollutants that are transported from other states. While exposure to ozone levels above the standard poses risks to all people, it particularly impacts sensitive populations such as: children, those with impaired respiratory systems including those with asthma, and the elderly.

**Regional Ozone Levels - Based on 2000 - 2003 Data**

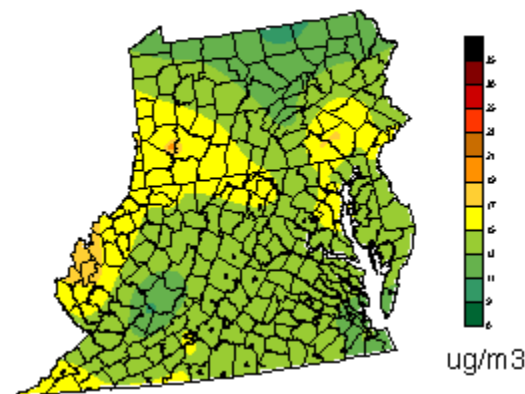


Ozone is wide-spread throughout the Region

### **Particulate Matter**

Another major air pollution problem is caused by Particulate Matter (PM). Many areas of the Region experience particulate levels above the PM-2.5 standard. Although portions of Western Pennsylvania and West Virginia are designated nonattainment for PM-10 and Sulfur Dioxide (SO<sub>2</sub>), air monitoring data indicates that these areas have attained the standards. PM-2.5 and PM-10 have multiple

**Regional 2.5 PM Levels - Based on 2000 - 2002 Data**



causes. However, the major sources are the emission of  $\text{SO}_2$  and  $\text{NO}_x$  from combustion, which undergo chemical reactions in the atmosphere to form sulfates and nitrates.

### Acid Rain

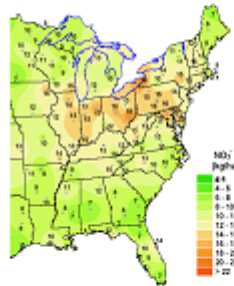
Region III receives the worst atmospheric deposition of acid in the United States. It is at the center of the acid rain hot-spot in the eastern part of the United States. The major sources of acid rain are sulfur and nitrogen emissions from fossil fuel burning by power plants and large industrial sources. Some of the coal-burning electric-generating facilities that impact air quality in Region III are located outside of the Region, mainly to the West and Southwest.

The effects of acid rain includes adverse impacts to habitat, living resources, crops, buildings and structures.

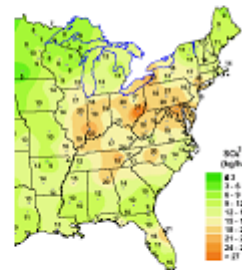
### **Acid Rain Affects the Region**

#### *Impact of Nitrogen and Sulfur*

Estimated nitrate deposition, 1999



Estimated sulfate ion deposition, 1999

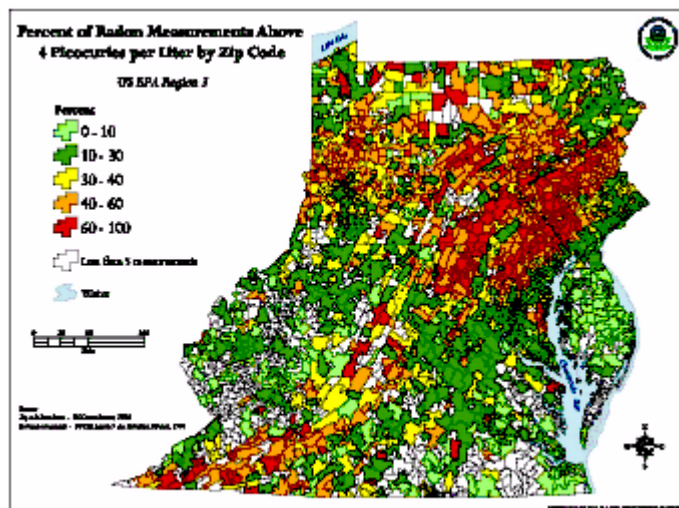


Region III is the center of acid rain, effecting habitat, resources

There is a great deal of overlap among the causes of acid rain, ground-level ozone and PM-2.5 and PM-10. Because these pollutants can travel long distances in the atmosphere, the Region is both a receptor and a source. This creates special problems for the federal, state and local air quality control programs in the Region.

### Radiation

Radiation is another problem unique to the Region. The current trend of potential unacceptable exposure to radiation is expected to increase because of increased use of nuclear materials in manufacturing and health care; the potential for increased electric power generation based on nuclear fuels; and increased potential for terrorist acts. Homes in much of the Region are also at risk because of radon exposure. EPA and the states have an extensive program for testing radon in homes.



Health risk from radon is region-wide

### **Hazardous Materials**

The Region has been challenged by terrorist activities. The Region had extensive involvement in responding to the September 11, 2001 airplane crashes at the Pentagon and Shanksville, PA. An emerging aspect of EPA's accidental release program is that it must deal with intentional releases of toxic or hazardous compounds. Region III led the anthrax cleanups on Capitol Hill and the Brentwood Post Office in the District of Columbia. In this area, working with first responders is critical to minimizing the impact of any weapons of mass destruction.

### **Region III's Priorities**

Region III and its state partners have selected three major priorities for 2003 through 2008: Watershed Restoration; Reducing Environmental Health Risks to Sensitive Populations; and Enhancing Environmentally Responsible Development. The Region is also responsible for meeting national priorities.

Region III's combined regional-national priorities for 2003 through 2008 include developing attainment strategies and plans for ozone and particulate matter; increasing the emphasis on regional haze and air toxics; fully implementing the sensitive population strategy to address health issues; completing work on writing and approving Total Maximum Daily Load (TMDL) plans for watersheds; developing a strategy for implementing TMDL's that will allow states to address non-point source pollution issues and restore impaired watersheds; and emphasizing environmentally responsible development practices to reduce the negative impacts of sprawl on air and water quality.

## **Chapter 2 - Regional Strategies for Achieving National Goals and Objectives**

## **GOAL 1: CLEAN AIR AND GLOBAL CLIMATE CHANGE**

### **Objective 1.1: Healthier Outdoor Air**

#### **Sub-objective 1.1.1: More People Breathing Cleaner Air**

##### National Ambient Air Quality Standards (NAAQS)

##### **Current State/Major Problems to be Addressed**

##### *8-Hour Ozone and PM 2.5 Standards*

Based on both actual and interpolated monitoring data, the majority of Region III is experiencing ozone levels above the 8-hour ozone standard and large areas of the Region are experiencing particulate levels above the Particulate Matter (PM) 2.5 standard. This data, compiled annually, is used to develop trend reports. For example, monitoring data indicates that from 1982 through 2001, 8-hour ozone concentrations have decreased an average of four percent across Region III (from 0.096 ppb to 0.092 ppb).

With respect to PM<sub>2.5</sub>, there is a need for better scientific tools, including monitoring methods, emission inventory development tools, and modeling tools. A continuous federal reference monitor for ambient PM<sub>2.5</sub> mass monitoring, along with improved methods for speciation monitoring, would help characterize ambient components more accurately. There is a significant need to improve emission estimates of PM<sub>2.5</sub> and its precursors as well as to increase the understanding of chemical reactions and atmospheric conditions that lead to the creation and transport of fine particles. In some areas, additional speciation monitoring, including sulfates, ammonia, and carbon monitoring, would be helpful. The use of appropriate interpolation techniques to better address the spatial extent of overall air quality using the information produced by these scientific tools would provide a better understanding of air quality in the Region.

Areas in Region III are affected significantly by the transport of various pollutants which contribute to poor ozone, PM<sub>2.5</sub> air quality and visibility in the Region. In order to improve PM<sub>2.5</sub> air quality and visibility, emission reductions and cooperation between states both within and outside of the Region is required. The development of an ammonia model is crucial for both PM<sub>2.5</sub> and visibility planning efforts to address whether ammonia emissions need to be reduced. The agricultural industry is one of the largest sources of ammonia, a precursor of PM<sub>2.5</sub>. Thus, partnerships with federal and state departments of agriculture will need to be strengthened to address the ammonia issue.

##### *Existing NAAQS*

Region III continues to experience ozone levels above the 1-hour ozone standard in the Philadelphia-Wilmington-Trenton, Baltimore, and Metropolitan Washington, DC nonattainment areas. Lancaster, Pennsylvania, fluctuates in and out of attainment for the 1-hour standard; additional air quality planning is needed to ensure continued attainment. Region III is working with Western Pennsylvania and West Virginia to secure redesignation requests and maintenance

plans for inclusion in their State Implementation Plans (SIPs) because, although portions of both states are designated nonattainment for PM-10 and sulfur dioxide (SO<sub>2</sub>), quality-assured ambient air quality monitoring data indicates that these areas have attained the standards. The Region has no nonattainment areas for nitrogen dioxide (NO<sub>2</sub>) or lead (Pb). All areas previously designated as nonattainment for carbon monoxide (CO) have attained the standard and have been redesignated to attainment with approved SIP maintenance plans.

### **Strategy Highlights**

Region III is increasing its emphasis on working with states and local agencies to assess air pollution problems in an integrated way, as part of the “one atmosphere” approach, and subsequently develop flexible plans, including voluntary and energy conservation measures, that achieve reductions in both ozone and fine particulate precursors. As part of this work, the Region is conducting evaluations of the ozone and particulate monitoring networks and evaluating the impact of multi-pollutant legislation. While increasing the emphasis on the “one atmosphere” approach, Region III recognizes that regulations and programs are directed at individual components of the atmosphere. The Region uses aerometric analysis tools to monitor and evaluate air quality throughout the Region to achieve an integrated approach that considers the synergistic and possible antagonistic effects of these constituents.

The Multi-criteria Integrated Resource Assessment (MIRA) will be used to evaluate control scenarios at regional and local levels for environmental impacts not available from a national analysis. Region III will use the MIRA as a regional planning tool to assess criteria air pollutant problems. In order to improve statistical environmental indicators and the regional policy decision making process, databases including demographics, census, air quality, and other ecological data are incorporated into the system.

Region III will continue to work closely with its state and local agency partners to ensure timely applicability determinations, and, where applicable, the issuance of high quality New Source Review (NSR) permits (including nonattainment NSR and Prevention of Significant Deterioration permits for major sources and modifications and minor source/modification permits) such that new source growth does not unduly interfere with NAAQS attainment and maintenance plans. Likewise, Region III will work to ensure that high quality Title V permits to implement SIP-approved control measures are issued in a timely manner to maintain the integrity of attainment and maintenance plans.

Region III will continue to work with internal and external stakeholders to designate areas with poor 8-hour ozone and PM<sub>2.5</sub> air quality and implement various parts of the NAAQS program to address these pollutants. Region III will work with the Ozone Transport Commission (OTC), state, and local governments to resolve the remaining 1-hour ozone nonattainment problems through a combination of regional and local measures. In addition to regulatory requirements, Region III will encourage voluntary programs, such as diesel retrofit projects and reductions in energy usage, which contribute to emission reductions in PM<sub>2.5</sub>, ozone, and their

precursor emissions. Region III will use established ozone action partnerships, state and local programs, and the Tools for Schools program to share information and expertise with school districts.

Region III is a member of the Best Workplaces for Commuters program (BWC) formerly known as the Commuter Choice Leadership Initiative, and is working with the Office of Transportation and Air Quality (OTAQ) to promote BWC in the Region. Among the activities are: (1) supporting the OTAQ team with BWC outreach; (2) public relations and training sessions; (3) supporting OTAQ staff at meetings with transportation management agencies in the Region; and (4) meeting with municipal planning organization staffs to encourage BWC as an emissions reduction strategy in their transportation planning activities.

Region III will pursue initiatives to reduce diesel engine idling by promoting the voluntary Smartways Transport (SWT) program in an effort to locate new truck stop electrification (TSE) facilities in the Region. The Region will also conduct outreach to encourage a reduction in idling by public transit and school buses which translates into reductions of PM<sub>2.5</sub> and NO<sub>x</sub>.

The Region uses indicators to track progress such as: the number of SIPs approved, permits issued, clean data findings, redesignations approved, enforcement actions taken, and the number of programs delegated to state and local agencies. Region III also uses ambient air quality monitoring data to track air quality improvement trends and to recalculate the rolling three-year design values on an annual basis as indicators of progress. Region III intends to develop additional indicators to assess progress. For example, the increased/decreased use of mass transit and the purchase of low emitting vehicles will indicate the success of public awareness and education efforts. Although a direct link between air pollution and health is difficult to establish, the Region will move to track data on emergency room admissions and mortality/morbidity data for respiratory illnesses, especially asthma and perhaps cardiovascular illness. Medical facilities are tracking these diagnoses due to concerns about terrorism. The Region will examine this data in relation to ambient levels of PM<sub>2.5</sub> and ozone.



**Strategies, Tools and Measures**

Strategies-NAAQS	Tools/Programs	Region-Specific Measures
<p>Reduce emissions from existing sources of emissions and precursor emissions of ozone (8-hour) and PM<sub>2.5</sub> to attain the NAAQS.</p>	<ol style="list-style-type: none"> <li>1) Partner with state/local agencies on the Implementation Policies for 8-Hour Ozone and PM<sub>2.5</sub> including all requirements of subparts 1 and 2, as applicable.</li> <li>2) Award assistance grants to states/locals, MARAMA and OTC.</li> <li>3) Partner with state and local agencies to ensure implementation of clean fuels programs including Tier II.</li> <li>4) Implement anti-backsliding provisions of the Clean Air Act.</li> <li>5) Implement the on-road and off-road diesel engines rules.</li> <li>6) Use a sound and credible system of relating industrial, commercial, agricultural, natural, and personal emissions of air pollutants and their precursors to observed air quality.</li> <li>7) Use MIRA as a regional planning tool to assess criteria air pollutant problems.</li> <li>8) Maintain a core of program experts by partnering with other regions, state and local agencies, and the private sector.</li> <li>9) Partner with state/local agencies to maintain NAMS/SLAMS ambient monitoring systems.</li> <li>10) Partner with states and local communities to encourage voluntary programs, such as diesel retrofit projects, the use of alternative fuels, and reductions in energy usage, to reduce PM<sub>2.5</sub> and ozone and their precursor emissions.</li> <li>11) Promote BWC programs.</li> <li>12) Promote SWT and other idling reduction programs/projects.</li> <li>13) Provide compliance assistance and implement a credible, effective enforcement program.</li> </ol>	<ol style="list-style-type: none"> <li>1) Number of areas designated nonattainment for which plans to reduce emissions to attain the standards will be required.</li> <li>2) Number of grants awarded with commitments to reduce precursor emissions.</li> <li>3) Amount of emissions reduced from regulatory/voluntary programs SIP revisions.</li> <li>4) Monitored improvements in ambient air quality (multi-year trends).</li> </ol>
<p>Complete adoption and approval of state plans' elements to attain the 1-Hour Ozone standard in Philadelphia-Wilmington-Trenton, Baltimore and Metropolitan DC areas and in Lancaster, PA.</p>	<ol style="list-style-type: none"> <li>1) OTC measures committed to by DC, DE, MD, PA, and VA.</li> <li>2) Additional severe area requirements committed to by DC, MD and VA.</li> </ol>	<ol style="list-style-type: none"> <li>1) Number of emissions reduced.</li> <li>2) Monitored improvements in ambient air quality (multi-year trends).</li> <li>3) Number of areas that attain the standard.</li> </ol>

Strategies-NAAQS	Tools/Programs	Region-Specific Measures
To ensure continued attainment of the NAAQS, secure SO <sub>2</sub> maintenance plans for Hancock County areas in WV and Armstrong County area in PA. (If not done by FY 04, secure maintenance plans for Warren County SO <sub>2</sub> areas in PA and Weirton PM-10 area in WV.)	1) Use Clean Data Policy. 2) Use Limited PM10 Maintenance Plan Policy. 3) Award assistance grants to Pennsylvania and West Virginia to complete work on maintenance plans.	1) Number of redesignation requests and maintenance plans submitted. 2) Number of redesignation requests and maintenance plans approved.
Implement programs to ensure that new stationary source growth does interfere with strategies to attain the NAAQS.	1) Partner with state and local agency partners to ensure timely applicability determinations, and, where applicable, the issuance of high quality NSR permits. 2) Provide training on NSR revisions. 3) Work closely with state and local agencies in developing equivalency determinations.	Number of permits issued.
Implement programs to ensure that growth in the transportation sector does not interfere with strategies to attain the NAAQS.	1) Partner with state and Metropolitan Planning Organization (MPO) partners to ensure that control strategy plans have adequate mobile budgets. 2) Partner with state and MPO partners to ensure conformity determination are performed. 3) Partner with state and MPO partners to ensure that Transportation Improvement Plans (TIPs) and Long Range Plans do not lapse.	1) Number of mobile budgets found adequate/approved. 2) Number of conformity determinations performed.

### Regional Haze

#### **Current State/Major Problems to be Addressed**

In the eastern United States, the pollutants that impair visibility are also precursors of ground level ozone and PM<sub>2.5</sub>. In 1987, the IMPROVE visibility network was established to collect and analyze data to: (1) determine the types of pollutants primarily responsible for reduced visibility; (2) track progress toward improvement; and (3) develop trends reports. For example, from 1992 to 1999, the visibility trends for eastern national parks, wildlife refuges and wilderness areas (Class I areas) indicate a visual range of 79 to 90 km on the best days and a visual range of 20 to 23 km on the worst days. In 1999, EPA initiated a regional haze program to address visibility in Class I areas. The program sets a framework for states to develop goals for improving visibility on the worst visibility days each year and to adopt strategies to meet these goals. EPA encourages states and tribes to coordinate through Regional Planning Organizations (RPOs) to develop regional strategies to improve visibility. The IMPROVE network's data will be used to track progress once the states begin to implement strategies developed by the RPO.

### Strategy Highlights

Region III is the lead region for the Mid-Atlantic-Northeast Visibility Union (MANE-VU), the Northeast RPO. MANE-VU is comprised of the states in EPA Regions I, II, and III. The Region also participates in the southeastern RPO and the Visibility Improvement State and Tribal Association (VISTA) activities which includes West Virginia and Virginia. In its role as lead region, Region III will coordinate and communicate MANE-VU's efforts with Regions I and II and the HQ's Office of Air and Radiation. The Region processes grant awards, oversees the work of the OTC/MANE-VU, and assists in the design and implementation of its multi-year strategy for assessing and addressing the problem of regional haze in the northeastern United States. The Region provides technical assistance to the OTC's partner organizations, the Northeast States for Coordinated Air Use Management (NESCAUM), and the Mid-Atlantic Regional Air Management Association (MARAMA).

Region III's key program components that contribute toward improved air quality include state and local agency assistance grants and grants to Multi-State Organizations (MSOs) and RPOs. The regions partner with each other, state and local agencies, and the private sector in order to maintain a core of program experts with practical experience for implementing the environmental regulations (including permitting and compliance assistance) for defined industrial sectors and manufacturing processes. In addition to partnership efforts, timely and effective enforcement remains a fundamental program component.

### Strategies, Tools and Measures

Strategies- Regional Haze	Tools/Programs	Region-specific Measures
Work with and build capacities of MANE-VU states/tribes and with other RPO's to develop strategies and design plans to make progress to improve visibility in Class I areas.	1) Issue assistance grants to MSO's/RPO's. 2) Maintain the IMPROVE visibility network. 3) Maintain funding for VIEWS network. 4) Provide assistance to RPO's and state/locals/tribes with emission inventories, modeling, monitoring and data analysis by serving on these technical committees.	1) Number of grants issued to MANE-VU to address needed reductions to improve visibility. 2) Number of Regional Haze SIPs submitted. (Due 12/07) 3) Emission reductions called for in SIPs.

### Sub-objective 1.1.2: Reduced Risk from Toxic Air Pollutants

#### Air Toxics

#### **Current State/Major Problems to be Addressed**

Many of the air toxics problems identified to date are in nature. The Region's focus is to identify communities with significant risk of exposure to toxic air pollutants and to work with concerned local stakeholders to design cooperative federal, state, and local projects to minimize those risks. The Region is facilitating a regional air toxics inventory workgroup in response to concerns about inconsistencies in reporting the data used for the National Air Toxics Assessment (NATA). The workgroup's mission is to: (1) identify problems reporting the data; (2) identify

inconsistencies in Region III's data; (3) seek to resolve problems and inconsistencies; and (4) act as a resource to report the most accurate data possible. Region III, states, and local agencies will participate actively through regular conference calls to discuss inventory concerns, problems, and needs. Region III will also hold meetings, workshops, or training to address concerns raised by the workgroup.

EPA and the states do not maintain an extensive nationwide monitoring network for air toxics. Currently, air toxics monitoring varies by state in terms of pollutants monitored and geographic coverage. EPA is working with its regulatory partners and states, to build upon existing monitoring efforts to create a national network. A national pilot city monitoring project began in 2000 in four urban and six small city/rural areas including Charleston, West Virginia. This program is designed to help answer vital questions about the design of a national monitoring network (e.g., sampling and analysis precision, sources of variability, and minimal detection levels).

### **Strategy Highlights**

Region III will focus on risk reducing strategies. The 1996 NATA report, and subsequent updated versions, will be used to identify the air toxic pollutants in Region III that exceed the health benchmarks. The health benchmarks are: (1) a cancer risk equal to or greater than one in one million, and (2) a non-cancer risk of a hazard quotient greater than one. To date the 13 pollutants that have been identified as exceeding the health benchmarks are: acetaldehyde, acrolein, benzene, carbon tetrachloride, chloroform, chromium, diesel particulate matter, ethylene dichloride, formaldehyde, perchloroethylene, polycyclic organic matter (POM) 1 and 3, butadiene, and ethylene dibromide. Mobile sources account for the majority of these pollutants.

Region III is conducting a major community-based air toxics initiative, the Philadelphia Air Toxics Risk Reduction Project. Region III, the Philadelphia Air Management Services (AMS), EPA HQ, and an EPA contractor, are partners in this project. The population in Philadelphia, faces a higher than average risk of developing cancer and other disease as a result of exposure to air toxics, according to the NATA. The project addresses air toxics through: 1) encouraging voluntarily retrofitting of diesel vehicles with emission controls and use of ultra-low sulfur fuel oil; 2) encouraging other voluntary efforts that will result in air toxics emissions reductions; 3) assessing the need for additional air toxics controls by studying air toxics sources, concentrations, exposure, and risk; and 4) informing the public of ways to reduce air toxics emissions and their exposure to air toxics. Region III will use Philadelphia as a model for other communities.

As previously mentioned, Region III's is pursuing initiatives to reduce diesel engine idling by promoting the voluntary SWT program to locate new truck stop electrification (TSE) facilities in the Region and by encouraging a reduction in idling by public transit and school buses. In addition to reducing criteria pollutants (PM<sub>2.5</sub>, NO<sub>x</sub>), these initiatives will also reduce diesel air toxics emissions from mobile sources.

In order to obtain a clearer picture of the air toxics problem, many states need more air toxic monitors. Region III is working to identify the air toxic monitor locations that exist in the region including federal, state, and local monitors. The Region will develop a comprehensive map that shows the location of each air toxic monitor. This map will help identify the gaps in the air toxic monitor locations throughout the region in order to better utilize resources to ensure new monitors are properly located. The Region will share the map information with state and local agencies.

Region III's Resource Conservation and Recovery Act (RCRA) hazardous waste combustion goals are designed to improve air quality by controlling emissions from hazardous waste incinerators, boilers, and industrial furnaces.

Region III supports state and local air toxic activities through funding, training, and guidance. Through section 103 grants, three additional air toxic monitoring sites in Philadelphia and two sites in Delaware became operational as of 2003. The Region continues to provide technical assistance to support Delaware's comprehensive two year study that will characterize the statewide distribution of air toxics and identify locations in the state that are likely to pose public health concerns. Region III is encouraging our state and local agencies to apply for additional air toxic monitoring grants. Delaware, West Virginia, Virginia, and Allegheny County, Pennsylvania, filed notices of intent to apply for a portion of the community-based air toxics fund.

### Strategies, Tools and Measures

Strategies- Air Toxics	Tools/Programs	Region-Specific Measures
Focus on risk reducing strategies and prioritize activities and air toxic reduction projects on areas of highest risk.	<ol style="list-style-type: none"> <li>1) Use NATA report to identify the air toxic pollutants in Region III that exceed the health benchmarks.</li> <li>2) Use NATA maps showing areas that exceed the health benchmarks layered with maps of sensitive populations to prioritize future activities and air toxic reduction projects.</li> </ol>	Number of air toxic reduction projects identified and implemented.
Implement programs to reduce mobile air toxics emissions.	<ol style="list-style-type: none"> <li>1) Partner with state and local agencies to ensure implementation of the On Board Diagnostics (OBD) II component of the Region's I/M programs.</li> <li>2) Partner with state and local agencies to ensure implementation of clean fuels programs including Tier II.</li> <li>3) Implement Tier II engine standards.</li> <li>4) Encourage voluntary programs, such as diesel retrofit and reduced idling projects.</li> <li>5) Implement the on-road and off-road diesel engines rules.</li> </ol>	<ol style="list-style-type: none"> <li>1) Number of OBD programs implemented.</li> <li>2) Number of diesel retrofit and idling reduction projects implemented.</li> <li>3) Number of carriers and shippers joining SWT.</li> </ol>

<b>Strategies- Air Toxics</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
Build state/local air toxics related capabilities.	1) Award assistance grants to states/locals. 2) Encourage state/locals to apply for additional air toxics grant including from the community-based air toxics fund.	1) Number of grants awarded to monitor/reduce air toxics. 2) Number of community - based projects undertaken.
Improve air quality by controlling emissions from hazardous waste incinerators, boilers, and industrial furnaces.	Work with State/Local partners to incorporate Maximum Achievable Control Technology (MACT) standards into Title V permits.	Number of emissions reduced.
1) Ascertain the location of air toxics "hotspots." 2) Make scientifically-based decisions for the placement of additional ambient air toxics monitoring equipment as well as to plan air toxics mitigation projects to reduce identified health risks.	1) Complete detailed air quality modeling analysis and risk/hazard assessment to identify the air toxics of concern in Philadelphia. 2) Share Philadelphia Air Toxic project analyses with other our state/local agency partners and provide technical protocols for conducting similar analyses and assessments throughout the region.	Number of additional air toxics monitors placed in the Region.
Compile a high quality and comprehensive air toxics emission inventory.	Award assistance grants to states/locals to develop high quality comprehensive air toxics inventories.	Number of states/locals that develop high quality and comprehensive air toxics inventories.
Work with state/local agency partners to ensure reductions of air toxics from stationary sources.	1) Issuance of high quality Title V permits by state/local partners to implement MACT Standards. 2) Issuance of guidance to state/local partners for submittal of section 111d and 129 plans.	Number of emissions reduced.

## **Objective 1.2: Healthier Indoor Air**

### **Current State/Major Problems to be Addressed**

Research has shown that indoor air pollution can be worse than outdoor air pollution. For example, in the case of new construction, it has long been recognized that better insulation and less outside air infiltration has the potential to increase indoor air quality (IAQ) problems. However, there is no database that tracks health impacts from poor IAQ and no national IAQ air quality monitoring program. In Region III, 275 schools participate in the voluntary IAQ improvement program known as Tools for Schools. For radon, states provide information on the number of: homes tested, homes remediated, and new homes constructed using radon resistant techniques. In 2002, the Region responded to 3,300 phone calls from the public seeking help on IAQ issues.

The most significant challenges are the lack of: (1) funds or government subsidized loans for schools which need to make physical plant improvements and repairs to resolve IAQ issues; (2) data available on the health impacts from poor indoor air quality; and (3) National IAQ air quality monitoring program.

### Strategy Highlights

Region III will continue to work with IAQ cooperative partners and expand current efforts in schools through work with related organizations. First, the Region will leverage resources by using these cooperative partners to become more involved with direct technical assistance to the school districts. The Region is providing mold education to large building owners, managers of schools, and residents. Second, the Region will share information and expertise as well as provide training to state and local programs for delivery of technical assistance on indoor air quality to schools, large buildings, and the residential sector. Third, Region III will enhance outreach to schools by including information on the Clean School Bus and the Energy Star Programs in the Tools for Schools program.

The Leaking Underground Storage Tank (LUST), RCRA Corrective Action, Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and oil cleanup programs focus on the control of spilled hazardous wastes that enter the groundwater and on leaking underground gasoline storage tanks to ensure that these hazardous materials do not contaminate IAQ in homes through soil gasses.

### Strategies, Tools and Measures

Strategies- Indoor Air	Tools/Programs	Region-Specific Measures
Improve IAQ in schools and public buildings throughout the region.	1) Conduct Tools for Schools outreach. 2) Share information and expertise as well as provide training to state and local programs for delivery of technical assistance on indoor air quality to schools, large buildings, and the residential sector. 3) Provide grants to states/locals and other non-profit cooperative partners for public education and technical assistance.	Number of schools participating in and implementing Tools for Schools.

Strategies- Indoor Air	Tools/Programs	Region-Specific Measures
Reduce exposure to radon gas in private homes and public buildings.	<p>1) Conduct extensive public outreach campaigns by issuing public service announcements, disseminating educational materials at trade association meetings, setting-up and staffing information booths at large public events, responding to public inquiries, and by meeting with major building owners/managers to provide technical assistance.</p> <p>2) Encourage the public to take voluntary measures to improve IAQ by partnering with state/local agencies, and non-profit partners such as the American Lung Association and the Mid-Atlantic Hygiene Resource Center to provide additional public information.</p>	<p>1) Number of homes tested for radon.</p> <p>2) Number of homes installing radon remediation systems.</p>
Reduce the IAQ risk posed by mold in homes, schools and buildings.	Provide mold education to large building owners, managers of schools, and the public.	Number of homes/buildings where mold contamination has been mitigated.
Control spilled hazardous wastes and leaking underground gasoline storage tanks to ensure that these hazardous materials do not contaminate IAQ in homes through soil gasses.	Leaking Underground Storage Tank (LUST), RCRA Corrective Action, Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and oil cleanup programs.	Leaking Underground Storage Tank (LUST), RCRA Corrective Action, Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and oil cleanup programs.

### Objective 1.3: Protect the Ozone Layer

#### Current State/Major Problems to be Addressed

In an effort to meet the United States' international commitments, Congress included stratospheric ozone protection as part of the Clean Air Act (CAA). The CAA implemented a multifaceted approach to solving the very important global problem of depletion of the stratospheric ozone layer. The most common ozone depleting substances are chlorofluorocarbons (CFCs) and hydrochlorofluorocarbons (HCFCs). Through enforcement and compliance assistance, Region III supports the CAA's requirements which limit the production and importation of ozone depleting chemicals by: 1) restricting the availability and use of CFCs and HCFCs; 2) requiring labeling for products containing or manufactured with CFCs or HCFCs; and 3) prohibiting nonessential products containing or manufactured with CFCs or HCFCs.

Although Region III does provide information and support for the Sun Wise program upon request, our focus with schools and local communities has been to address the risks



associated with radon exposure, other indoor air quality problems, air toxics and the high instances of asthma in the region.

### Strategy Highlights

In Region III, our stratospheric protection program is supporting the national and international effort to reduce CFCs and HCFCs by providing information and compliance assistance to the public and small businesses, and enforcing the law against violators of these regulations. Region III conducts inspections of major retailers of products containing or manufactured with CFCs or HCFCs and those facilities with on-site processes, including the servicing of air conditioners, subject to the federal regulations for protection of stratospheric ozone. Region III has a customer service hotline (800 438-2474) where questions regarding the regulations or tips of possible violations can be directed.

To help educators raise sun safety awareness, Region III responds to inquiries and requests for assistance regarding the Sun Wise School Program for grades K-8. Sun Wise Partner Schools sponsor classroom and school-wide activities that raise children's awareness of stratospheric ozone depletion, UV radiation and simple sun safety practices. The program encourages schools to provide a sun-safe infrastructure, including shade structures (e.g., canopies, trees) and policies (e.g., using hats, sunscreen, sunglasses) that promote sun protection.

### Strategies, Tools and Measures

Strategies- Ozone	Tools/Programs	Region-Specific Measures
Reduce CFCs and HCFCs.	1) Provide information and compliance. assistance to the public and small businesses 2) Enforce the law against violators of these regulations.	1) Number of responses provided to customer service hotline inquiries.
Raise sun safety awareness.	Sun Wise School Program.	Number of Sun Wise Schools.

### Objective 1.4: Radiation

#### Sub-objective 1.4.1: Enhance Radiation Protection

#### Current State/Major Problems to be Addressed

Region III continues to find evidence of radiation contamination at various locations, particularly Superfund sites and municipal landfills visited by state and federal inspectors and on scene coordinators. The Region has made significant progress toward the development of a radiation protection program; however much work still needs to be done.

### Strategy Highlights

Region III's strategy includes a variety of activities such as: (1) direct technical support to the Region's short and long term contaminated site clean-ups; (2) technical assistance to state

and local agencies to enhance their capability to assess and minimize releases of radiation; and (3) support for EPA's National Monitoring System (ERAMS).

The two primary activities that comprise the Region's strategy are to: (1) develop regional, state, and local capacity to measure radiation exposures, interpret the results of those measurements, and take appropriate remedial actions; and (2) provide direct technical support on the assessment and clean-up of contaminated sites.

### Strategies, Tools and Measures

Strategies- Enhance Radiation Protection	Tools/Programs	Region-Specific Measures
1) Increase the regional, state, and local capacity to assess the potential for and minimize releases of radiation. 2) Increase the regional, state, and local capacity to take appropriate remedial actions.	1) Develop and enhance regional and state/local capacity to measure radiation exposures, interpret the results of those measurements, and take appropriate remedial actions. 2) Support EPA's National Monitoring System (ERAMS).	1) Number of state and local agencies with the capabilities to assess and minimize the potential for releases of radiation. 2) Number of state and local agencies with the capabilities to measure radiation exposures, interpret the results, and take appropriate remedial actions.
Assess and clean-up of sites contaminated by radiation.	Provide direct technical support on the assessment and clean-up of sites contaminated by radiation.	Number of sites contaminated by radiation that are cleaned-up.

### Sub-objective 1.4.2: Maintain Emergency Response Readiness

#### Current State/Major Problems to be Addressed

The September 11, 2001, act of terrorism on the United States emphasized the need to improve our capability to respond to emergencies involving the potential release of radiation. The staff in Region III have made significant progress toward developing emergency response capabilities; however, this continues to be a problem area requiring significant attention.

#### Strategy Highlights

Region III's strategy includes a variety of activities such as: (1) participating in nuclear power plant emergency exercises; (2) providing technical assistance to state and local agencies in the area of emergency response; (3) building counter-terrorism capacity; and (4) supporting the EPA's National Monitoring System (ERAMS).

The two primary activities that comprise the Region's's strategy are: (1) develop regional, state, and local capacity to measure radiation exposures, interpret the results of those measurements, and take appropriate remedial actions during emergencies; and (2) provide direct

technical support on the assessment and clean-up of contaminated sites. The expected outcome of this strategy is remediation of contaminated sites and establishment of adequate regional emergency response capability for radiological incidents.

### Strategies, Tools and Measures

Strategies- Maintain Emergency Response Readiness	Tools/Programs	Region-Specific Measures
Be prepared to respond to radiation releases from nuclear power plants.	Participate in nuclear power plant emergency exercises.	Number of nuclear power plant emergency exercises in which Region participates.
Increase regional, state, and local capability to measure radiation exposures, interpret the results, and take appropriate remedial actions during emergencies.	Provide technical assistance to state and local agencies to build their capacities in the area of emergency response.	Number of state and local agencies with enhanced capabilities in the area of emergency response.
Increase regional, state, and local capabilities to counter terrorism.	1) Partner with the Department of Homeland Security. 2) Provide technical assistance to state and local agencies to build their capacities to counter terrorism. 3) Support EPA's National Monitoring System (ERAMS).	Number of state and local agencies with increased capabilities for counter terrorism.
Assess and clean-up of sites contaminated by radiation.	Provide direct technical support on the assessment and clean-up of sites contaminated by radiation.	Number of sites contaminated by radiation that are cleaned-up.

### Objective 1.5: Reduce Greenhouse Gas Intensity

#### Current State/Major Problems to be Addressed

The global temperature record shows an average warming of about 1.1°F over the past century; ten of the warmest years have occurred since 1983. Average global temperature is expected to increase by 1- 4.5°F in the next 50 years. Since pre-industrial times, atmospheric concentrations of CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O have climbed by more than 31 percent, 151 percent, and 17 percent, respectively. Many scientists believe that this is due primarily to human activity. By the end of the 21st century, CO<sub>2</sub> concentrations could reach from 75-350 percent above pre-industrial concentrations.

#### Strategy Highlights

Energy Star is a voluntary program that promotes energy conservation and results in a reduction of pollutants. Region III will promote the Energy Star program because the production of electricity from fossil fuel generating stations is a major source of pollutants such as NO<sub>x</sub>, SO<sub>2</sub>, PM, mercury, and the greenhouse gas CO<sub>2</sub>. One regulatory incentive for increasing Energy

Star Buildings program participation would be for states to credit the resulting NO<sub>x</sub> and PM reductions in State Implementation Plans to attain and maintain the NAAQS. This possibility already exists but further assistance needs to be provided to the states in order to make it a common practice.

In order to increase voluntary participation in the Energy Star Buildings program, the Region has an extensive public outreach campaign. Region III disseminates educational materials, issues public service announcements, attends and participates in appropriate trade association meetings, provides information booths at large public events, responds to public inquiries, provides public recognition events, meets with major building owners/managers, and provides technical assistance and training for building owners and managers.

Region III intends to mount an extensive outreach campaign to state and local governments on the new Energy Star Million Monitor power management campaign for computers.

#### Strategies, Tools and Measures

Strategies- Greenhouse Gas	Tools/Programs	Region-Specific Measures
Increase voluntary participation in the Energy Star Buildings program.	Conduct extensive public outreach campaigns by issuing public service announcements, disseminating educational materials at trade association meetings, setting-up and staffing information booths at large public events, responding to public inquiries, conducting and advertising public recognition events for Energy Star Buildings participants, and by meeting with major building owners/managers to provide technical assistance.	1) Increase in number of Energy Star Buildings program participants. 2) Increase in use of energy efficient equipment. 3) Amount energy conserved (kWh), and NO <sub>x</sub> , SO <sub>2</sub> and CO <sub>2</sub> emissions prevented.
Increase participation by state and local governments in the Energy Star Million Monitors campaign	Conduct outreach and meet with key state and local officials.	1) Number of computers with energy saving software installed. 2) Amount of energy conserved (kWh). 3) Amount of NO <sub>x</sub> , SO <sub>2</sub> and CO <sub>2</sub> emissions prevented.

## **GOAL 2: CLEAN AND SAFE WATER**

### **Objective 2.1: Protect Human Health**

#### **Sub-objective 2.1.1: Water Safe to Drink**

##### **Current State/Major Problems to be Addressed**

Ninety one percent of the Region III population served by community water systems (CWS) and 93 percent of the population served by non-community, non-transient water systems are receiving drinking water for which no violations of federal health standards have occurred within a year. All of the states in Region III, except for the District of Columbia, have primacy for the drinking water program, and all are updating their primacy and adopting rules and regulations to ensure they will maintain adequate health protections in their drinking water programs.

Through September 2003, 209 projects in Region III funded through the Drinking Water State Revolving Fund (DWSRF) have initiated operations, meaning that positive gains are being made in the safety of drinking water provided to the users of those systems. Region III states have made 275 loans under the DWSRF program.

Source water assessments have been completed by 4,189 CWS, representing 91 percent of the number of community systems and 93 percent of the population in the region's public water consumer universe. By the end of 2004, there will be 4,500 completed source water assessments for CWS, representing 100 percent of the population served by CWS. Source water protection programs are being implemented by 288 CWS representing 18 percent of the region's population served by CWS. The Region's goal for 2005 is 20 percent.

All Region III large CWS (>100,000 persons served) will have certified the completion of their vulnerability assessments and emergency response plans. The Region is managing 40 assistance agreements for these activities, and has made on-site visits to 30 of these utilities. Additionally, the program has worked closely with the District of Columbia's water and wastewater utilities on system security issues, as part of the watershed restoration state/EPA regional priority, and is assisting other utilities in the surrounding metropolitan area. The Region has contributed to efforts of the Water Security Division at the national level and collaborates on an ongoing basis with state and utility partners. This is important in protecting public health against, or responding to chemical or biological sabotage of drinking water systems. In addition, the Region maintains a 100 percent rate of bringing injection wells that do not meet permit or rule requirements into compliance in a timely manner.

Ensuring the integrity and security of the region's drinking water and wastewater infrastructure will remain a significant challenge in Region III public water supply programs to accomplish core program responsibilities such as state assistance grant oversight, participation in the regulatory development process, and meeting critical training and outreach efforts to regional

stakeholders. Drinking water infrastructure projects in the region will require \$10.7 billion in funding in the next 20 years. Region III will continue to work closely with states and water systems to ensure that the water systems are conducting assessments and taking other actions to reduce their vulnerability to terrorist attacks and to enhance their security and ability to respond to emergency situations. Vulnerability assessments for all CWS serving more than 3,300 persons and emergency response plans for all CWS for systems serving more than 50,000 persons should be completed by the beginning of FY 2005, as required by the Bioterrorism Act. The Region will be managing additional grants to states to conduct training and assist small to medium-sized water systems in completing assessments, emergency response plans, and other security enhancement plans and designs. Similar challenges for wastewater utilities will likely remain.

The Region is concerned that its partners and co-regulators in the states are experiencing significant resource reductions. State agencies have been faced with budget cuts that have the potential to reduce their capacity to implement federally delegated programs under the Clean Water Act (CWA) and Safe Drinking Water Act (SDWA). This is one reason the states and Region III chose watershed restoration as a joint regional priority.

System issues remain with the Safe Drinking Water Information System (SDWIS). The Region works individually with its states to resolve data quality and data transfer issues. Region III is also concerned about the ability of SDWIS-Fed to continue to support the public water system supervision program. Due to funding cuts, SDWIS-Fed will not be updated to accommodate some of the newer regulations, the implementation of which began in FY 2002. The potential consequences include duplicative data entry by states, difficulty in compliance tracking, and lower data quality.

Another issue is the lack of a statutory mandate and funding for source water protection implementation programs. Lacking these, the efforts applied to source water assessments may result in only limited protection of drinking water sources.

### **Strategy Highlights**

Region III will continue to serve as national leaders in traditional regulatory and non-regulatory water programs. The Water Protection Division (WPD) mission statement, "Everyone Deserves Clean, Safe Water," helps translate Region III's goals and objectives into action. WPD has identified priority areas, covering protection of both public health and water quality.

Region III's nitrate strategy on the DelMarVa peninsula illustrates how WPD has used this approach. Based upon preliminary data which showed public water supply violations of the drinking water standard for nitrate, WPD's response was not limited to compliance and enforcement activity on a selected few water suppliers alone. The Region has been gathering environmental data on the nature and extent of the nitrate contamination issue throughout the peninsula and identifying the main contributing sources of pollution. Region III has engaged several state agencies and the US Geological Survey (USGS) in this effort to understand the

environmental and programmatic extent of the problem. The joint state/EPA strategy for action considers all the tools that the state and EPA have to achieve the desired result of stemming the increase in nitrate levels.

Examples of the Region's watershed restoration priority work in significant geographic areas in the public health arena include the Schuylkill River watershed in Pennsylvania and the Potomac River watershed. The Schuylkill Action Network (SAN) is a partnership of local, state, and Federal representatives working to protect the Schuylkill River as a drinking water source. Based on a comprehensive assessment of the entire Schuylkill watershed, acid mine drainage, agricultural practices, storm water runoff, and sewage overflows have been identified as the major sources of pollution of the Schuylkill, from which more than 90 percent of its water is withdrawn for public water supply and thermoelectric generation.

In the Potomac watershed, a partnership between water suppliers and governmental agencies has been established to protect their common interest in protecting the river for water supply purposes. The two groups complement each other and enhance their effectiveness for source water protection by working together as partners. Among the challenges they face are the perceived or real institutional barriers between the utility group and governmental agencies. A Memorandum of Understanding provides a coordinated framework under which the partnership can seek to leverage resources in existing programs and explore further funding opportunities to move from assessment to protection.

A mutual priority of Region III and states and interstate commissions is improving water resource management planning and efficiency, relative to both quality and quantity, to reflect both surface and ground water. A shared effort will include major watersheds and aquifer systems within Delaware, Maryland, Pennsylvania, Virginia, West Virginia and the District of Columbia, and including, as appropriate, portions of major watersheds and aquifers in neighboring states. A focus will also be on the impact of ground water on surface water quality, especially in abandoned mine lands and during low-flow conditions.

### Strategies, Tools, and Measures

Strategies	Tools/Programs	Region-Specific Measures
Develop cooperative approaches for improved water resource management planning and efficiency relative to both quantity and quality.	<p>1) Use energy savings programs at EPA, states, and through other partners.</p> <p>2) Develop and implement Environmental Management Systems.</p> <p>3) Communicate issues with managers and owners of drinking water and wastewater treatment facilities.</p>	<p>1) Characterize major water resources (watersheds and aquifers) as to both water quality and potential sustainable yield.</p> <p>2) Characterize current and projected water demands (e.g., projected to 2025, or some planning horizon), statewide within states and, to the extent possible, geographically and by surface watershed or regional aquifer. Identify potentially stressed areas (e.g., inadequate water quantity, poor water quality).</p> <p>3) Analyze water allocation authorities, procedures, &amp; accounting practices.</p> <p>4) Develop options for water resource protection, e.g. aquifer recharge, wellhead protection, storm water management, minimum instream flows, impoundment management.</p> <p>5) Develop options for integration of water conservation in water resource planning &amp; management, both routine and drought management, e.g. education, structural conservation technologies, water pricing and rate structures, infrastructure maintenance, water reuse.</p>



Strategies	Tools/Programs	Region-Specific Measures
Focus on environmental results first.	<ol style="list-style-type: none"> <li>1) Focus on public health outcome.</li> <li>2) Recognize links across the water, air, and land programs to collaborate on common goals.</li> <li>3) Target and plan work based on sound science.</li> <li>4) Communicate the “big picture” problems, challenges, environmental and health consequences, action strategies, indicators, and results.</li> <li>5) Deploy resources to the problems to obtain the greatest environmental benefits.</li> <li>6) Apply enforcement against the sources of pollution.</li> <li>7) Conduct outreach campaigns.</li> </ol>	<ol style="list-style-type: none"> <li>1) Use environmental indicators and other data which show results.</li> <li>2) Make clear connection between activities and tangible environmental results.</li> <li>3) Document data trends to focus on specific locations to articulate why the Region selected one area over another.</li> <li>4) Region III will use the national strategic targets and Program Activity Measures (PAMs) as Region III’s outcome and output measures.</li> <li>5) Develop environmental indicators measures for Region III’s source water pilots, nitrates strategy initiative, and other geographically targeted efforts.</li> </ol>

Strategies	Tools/Programs	Region-Specific Measures
<p>Work in priority places to integrate source water protection and watershed management as part of the watershed restoration state/EPA regional priority.</p>	<ol style="list-style-type: none"> <li>1) Promote innovation in the use of traditional tools.</li> <li>2) Schuylkill Action Network will pilot with EPA to understand the challenges to transition from source water assessment to implementation of protection measures.</li> <li>3) Lead the transition from source water assessment to protection.</li> <li>4) Ensure security of Region III's public water supplies.</li> <li>5) Engage staff to improve interstate waters, estuary programs, and other priority watersheds.</li> </ol>	<ol style="list-style-type: none"> <li>1) Use the national strategic targets and PAMs as our outcome and output measures.</li> <li>2) Develop environmental indicators measures for geographically targeted efforts.</li> </ol>
<p>Ensure that a credible compliance and enforcement presence is maintained through coordinated state and EPA actions.</p>	<ol style="list-style-type: none"> <li>1) Enhance the dialogue with states on effective work sharing and coordination of inspections.</li> <li>2) Compliance and formal enforcement actions.</li> <li>3) Develop joint strategies for focused outreach and technical assistance activities to priority sectors and geographic areas.</li> <li>4) Make creative use of Supplement Environmental Projects and enforcement settlements.</li> <li>5) Prioritize resources to focus efforts in areas with microbial and maximum contaminant level (MCL) violations in the drinking water and Underground Injection Control (UIC) programs.</li> <li>6) Coordinate efforts with the states to address the sources of the contaminants for long term remediation of the ground water.</li> <li>7) Conduct site investigations in coordination with the Region's Clean Water Act and source water programs and attempting to determine the sources of the contamination.</li> </ol>	<p>Use the national strategic targets and PAMs as the Region's outcome and output measures.</p>

Strategies	Tools/Programs	Region-Specific Measures
Promote more sustainable approaches to local water and wastewater infrastructure and management.	1) Publicize the land/water connection and importance of healthy watersheds to water supplies. 2) Advance Environmental Management Systems (EMSs) and asset management as tools for local utilities. 3) Partner with the Brownfields programs and Urban Livability initiatives. 4) Employ the State Revolving Fund (SRF) programs to fund and reinforce this objective. 5) Encourage partnerships with local governments for implementation of the On-Site System Management Guidelines. 6) Continue to sponsor training. 7) Provide key support to the water protection task force for a better understanding the needs of wastewater utilities. 8) Security awareness and preparedness in the drinking water industry.	1) Ensure latest science and data to inform the Region's decisions on infrastructure and management of the water resource. 2) Use the national strategic targets and PAMs as the Region's outcome and output measures.

### Sub-objective 2.1.2: Fish and Shellfish Safe to Eat

#### Current State/Major Problems to be Addressed

The Region and its state partners take approximately 400 samples of fish tissue annually to determine fish advisories. The Region will continue to encourage states to adopt biological and nutrients criteria in their water quality standards. Delaware has E. coli bacteria criteria. Maryland, Virginia, and the District of Columbia are moving toward adoption of the E. coli criteria.

Some toxic contaminants that enter water bodies can move up the food chain and build up to levels that make fish unsafe to eat. Region III fish consumption advisories have been issued in five out of six states in the region. Shellfish can also accumulate disease-causing microorganisms and toxic algae. Currently, shellfishing is prohibited in some waters in four out of six states. EPA Region III is working with its states to improve water and sediment quality so all fish and shellfish are safe to eat and to protect the public from consuming fish and shellfish that pose unacceptable health risks.

### Strategy Highlights

Most fish consumption advisories today are issued because of unhealthy levels of mercury and Polychlorinated Biphenyls (PCBs) in fish. Although small amounts of mercury are discharged to waters, most mercury in fish originates from combustion sources which release it into the air. Region III is working through its Total Maximum Daily Load (TMDL) tools to identify and reduce the amount of mercury contributed through air deposition. Improving water and sediment quality is another key element of the strategy for making more fish safe to eat. EPA Region III utilizes Superfund program information to identify PCB and dioxin contaminated sediments. Although a sound system for monitoring the condition of shellfishing waters and limiting public exposure to unsafe shellfish is in place, shellfish harvesting is restricted in many acres of otherwise productive shellfishing waters. Updated Region III states' monitoring and assessment plans in conjunction with TMDLs developed for bacteria in shellfishing waters identify possible sources of pollutants causing the restrictions. This information can be used to strengthen water pollution control activities, including development of watershed plans, implementation of National Estuary Program plans, enforcement of existing permits, and control nonpoint sources.

### Strategies, Tools and Measures

Strategies	Tools/Program	Region-Specific Measures
Ensure that all states and interstates in Region III adopt the new Mercury Water Quality Standard (WQS). Greater percent of rivers and lakes will be monitored.	1) WQS Triennial Review Process. 2) Monitoring and Assessment 106 grant funding.	1) Obtain commitments from Region III interstates and states that adoption will occur and ensure it occurs by 2008. 2) Ensure that all Region III states and interstates prepare a baseline of their current monitoring and assessment program to be eligible for funding in FY'05.
Reduce bioaccumulative pollutants loading of waters.	TMDLs / Non-Point Source (NPS) / National Pollutant Discharge Elimination System (NPDES) / WQS / Permitting / enforcement and compliance assistance / Superfund / Resource Conservation and Recovery Act (RCRA) / Air.	1) Continue TMDL development and implementation on 303(d) listed waters. 2) Coordinate with other programs to ensure holistic solution to pollutant reductions.

Strategies	Tools/Program	Region-Specific Measures
Increase the percent of shellfish acres where harvesting is permitted.	Beaches Program / WQS / 106 grant monitoring and assessment funded activities.	Work with four Region III states that have been awarded beaches grants to adopt bacteria WQS and implement sound monitoring programs that ensure public protection. Also see first list measure above.

### Sub-objective 2.1.3: Water Safe for Swimming

#### Current State/Major Problems to be Addressed

Recreational waters, especially beaches in coastal areas and the Great Lakes, provide outstanding recreational opportunities for the public. Swimming in some recreational waters can pose a serious risk of illness as a result of exposure to microbial pathogens. In some cases, these pathogens can be traced to sewage treatment plants, malfunctioning septic systems, and discharges from storm water systems and animal feeding operations.

#### Strategy Highlights

Region III and its states continue the development and implementation of TMDLs which will benefit recreational waters that are impaired. The continuing implementation of the discharge permit program, urban storm water controls, and nonpoint pollution control programs by the Region and its states will also reduce pollution to recreational waters. Full implementation of controls for overflows from combined storm and sanitary sewers that release high levels of pathogens is another key step in protecting recreational waters. Region III coastal and Great Lakes beaches are now required to develop bacteria criteria, monitor beach water quality and notify the public when bacterial contamination poses a risk under federal Beach Act programs. States' Nonpoint Source programs are leading the development of watershed implementation plans in watersheds where the primary source of pollution is nonpoint source related. Many of these implementation plans are specifically designed to reduce bacteria for the water body to achieve beneficial uses.

#### Strategies, Tools and Measures

Strategies	Tools/Programs	Region-Specific Measures
Protect the quality of Region III public beaches along the coasts and Great Lakes.	Beach Act / WQS / EPA beaches website expansion.	1) Update beaches website to inform public. 2) Ensure that significant public beaches are monitored. 3) States will begin adoption of bacteria WQS.

Strategies	Tools/Programs	Region-Specific Measures
Control combined sewer and sanitary sewer overflows.	EPA's Combined Sewer Overflows (CSO) policy.	1) Ensure that all CSO communities are implementing basic control measures (Nine Minimum Controls). 2) Increase the number of CSO communities that are implementing long term control plans.
Protect recreational waters.	TMDLs / NPDES permits / urban storm water controls and nonpoint source controls.	1) Manage core programs of Clean Water Act. 2) Work with states to develop watershed implementation plans in a select subset of watersheds where recreation waters are impaired and TMDLs have or are being developed.

## **Objective: 2.2: Protect Water Quality**

### **Sub-objective 2.2.1: Improve Water Quality on a Watershed Basis**

#### **Current State/Major Problems to be Addressed**

In Region III, approximately 3,300 water bodies are listed as impaired on states' submittals of Section 303(d) lists. Approximately 20 percent of the region's assessed rivers and 62 percent of lakes are not meeting their designated uses. Over 80 percent of the water quality impairments in the region are categorized as nonpoint source. Four Region III states have new or revised water quality standards as of the end of FY 2003. Such standards are important for maintaining high water quality.

Eighty nine percent of the region's major point sources of discharge and 81 percent of the minor point sources are covered by current permits. All communities with CSOs are covered by NPDES permits or other enforceable mechanisms. All of the Region's states have current storm water general permits for industrial and construction activities. There are 3,215,430 acres in the region covered by permits for storm water discharges. TMDL allocations were completed for 2,045 segments of Region III water bodies as of the end of FY 2002.

Field technical assistance at municipal wastewater treatment plants prevented 3,405 pounds of pollutants from being discharged as of the end of FY 2003. In addition, by the end of FY 2003, there were permitted load reductions of toxic, non-conventional, and conventional

pollutants from NPDES permitted facilities such as Publicly Owned Treatment Works (POTWs) totaling 2,524 pounds per year. A total of 1,919 projects funded by the Clean Water State Revolving Fund (CWSRF) in Region III initiated operations by the end of FY 2003, improving the water quality in receiving streams. By the end of FY 2004, Region III expects that total to be 2,050 projects.

All Region III states are committed to the joint state/EPA watershed restoration regional priority, which includes implementing programs to address NPS pollutant runoff through CWSRF assistance, particularly with respect to funding septic systems and agricultural best management practices.

Resource extraction activities have resulted in a very significant source of pollutants to waters in Region III, primarily through abandoned coal mine drainage. Streams impaired by acid and metals loadings due to abandoned mine drainage present a unique challenge in several states in Region III. A growing threat is presented by mine pools and overflows particularly in Pennsylvania and West Virginia, aggravated by growing numbers of mining company bankruptcies and inadequate bonding. Without timely and coordinated action, this could become a pollution crisis starting in the 2004-05 time frame. Mountaintop mining and valley fills are changing landscapes and many stream courses in states where this is occurring. The joint state/EPA watershed restoration regional priority addresses all of these issues to require new, innovative approaches and partnerships among the states, coal operators, environmental groups, and other constituencies.

For the Mine Pools challenge, we will be employing innovative strategies in concert with the states which emphasize the inherent water resource value of these tremendous storehouses and look to the economic opportunity as well as the environmental opportunity presented in the solutions.

The next year promises to be a challenging year for the Region III Water Quality Standards program, with four states' triennial reviews due for review and approval. Using the flexibility in the standards regulations is a key issue for the Region III states, which seek to modify designated uses and criteria in ways that consistently maintain the appropriate level of protection. The Region III states have stressed the importance of having better guidance and EPA support for addressing policy issues and increasing public understanding and participation in the process of designating water uses appropriately. Requirements under the WQS program create an ongoing workload for the states. Region III and the Office of Science and Technology are collaborating with the states to strengthen and improve the program. Furthermore, the February 1998 Nutrient Strategy indicates that over-enrichment of waters by nutrients (nitrogen and phosphorus) is the biggest overall source of impairment of the nation's rivers and streams, lakes and reservoirs, and estuaries. The strategy calls for the EPA to develop nutrient criteria -- numerical ranges for acceptable levels of nutrients in water. In 2001, EPA encouraged states to develop nutrient criteria plans to assist both EPA and the states in meeting the 2004 deadline for

substantial completion in the adoption of numeric nutrient criteria for lakes/ponds, rivers/streams, and estuarine/coastal waters. Although the development of a plan is not required, the role of these plans in the adoption of nutrient criteria, the flexibility available, and EPA's expectations for the time frames both to develop a plan and to adopt nutrient criteria into water quality standards, are crucial to successful implementation of nutrient criteria in the states. Presently all Region III states have submitted voluntary plans with the exception of the District of Columbia. Every state that has submitted a plan has received initial comments from EPA, and is in the process of revising their plans for the purpose of State-EPA consensus. In the interim, most states have begun to proceed in criteria development. Understanding the cumbersome task of criteria development, the current national goal is to encourage submission of nutrient criteria plans for state-EPA consensus for all states.

Settlements of lawsuits pertaining to TMDLs in all five of the Region's states plus the District of Columbia require completion of over 7,000 TMDLs for almost 3,900 waters in a relatively short period of time. One additional complication is that TMDLs serve as a forcing mechanism to review current water quality standards, and is often not possible to wait for standards revisions to occur before completing the initial TMDLs. This disconnect sometimes invites critiques of TMDL quality and re-work for the eventual revision. Budget shortfalls in all of Region III's states, resulting in reduced staffing for all programs including TMDL, remain a further challenge.

Sewage sludge is regarded as a low environmental risk. Consequently, land application of biosolids is not considered a high resource priority. The public, however, perceives sewage sludge quality to be poor and of significant risk and that EPA should consider this as a higher priority issue. Although EPA recognizes that continued outreach is needed to educate municipalities, generators, states, and the general public, resources have not been made available to EPA for the implementation of the program.

In Region III, storm water is responsible for 5,265 miles of impaired streams. Streambank erosion and sediment loading continue to be major causes of harm to stream and aquatic life health. Region III and its state partners have made storm water management a mutual environmental priority, committing to work collaboratively to address this issue.

Region III and the states have been implementing the Phase I and II permitting programs although resources are very limited to keep up with huge outreach, education, and permitting demands. Phase II programs are in place in all Region III states. Pennsylvania has more than 700 new MS4 communities in Phase II. Region III is getting hundreds of inspections accomplished each year in coordination with the states by using UIC inspectors to do joint inspections for the storm water program.

Effective storm water management involves both quantity/flow control and water quality protection aspects. Monitoring data for storm water Best Management Practices (BMPs) is



raising some questions about the effectiveness of some BMPs in improving overall stream health. One other challenge facing Region III and the states is gaining cooperation for assigning wasteload allocations to MS4s in the development of TMDLs.

### **Strategy Highlights**

Region III will document data trends that justify attention for measurement of specific geographic locations in the region. Region III will articulate why one area is selected over others, the environmental or public health concern, and how the area compares with others in terms of results. Much of the Region's work will be focused within the National Watershed Initiative and the Urban Rivers Restoration Initiative. Region III is working with four selectees in the National Watershed Initiative (Christina River in Pennsylvania and Delaware; Dunkard Creek in Pennsylvania and West Virginia; Upper Tennessee River in Virginia, Tennessee, and North Carolina; and Susquehanna River in Pennsylvania and New York) to encourage successful community-based approaches to restore, preserve, and protect watersheds. The Region is also working with the Elizabeth River in Virginia and the Anacostia River in Washington, DC through the Urban Rivers Restoration Initiative which partners with the US Army Corps of Engineers, the Superfund program, and WPD to identify land-based ways to restore the rivers and their watersheds.

An example of Region III's work in priority geographic areas includes the establishment of a TMDL for PCBs in the Delaware River Estuary. The TMDL is being developed for certain zones of the Delaware River, from Trenton, New Jersey to the head of the Delaware Bay. The sheer size of the affected area has required tremendous effort and coordination among three states, two EPA regional offices, and the Delaware River Basin Commission. Additionally, the non-degrading nature of PCBs makes this TMDL scientifically complex and requires cross-media participation from programs involving sediment, hazardous waste, and air. The TMDL employs a staged approach unlike any traditional TMDL. Each participating agency recognizes that the TMDL monitoring, modeling, and allocation analysis must be complemented by a parallel process to evaluate how the TMDLs will be implemented. The group formed an implementation advisory committee to develop the specific implementation procedures and requirements necessary to achieve water quality standards. This committee was suggested at an EPA/state secretaries meeting in June 2003 where TMDLs were reaffirmed as an initiative under the EPA/state watershed restoration priority. More broadly, Region III and its states and interstate commissions have committed to continuing their TMDL Workgroup, which is developing and implementing solutions to many complex issues affecting all states.

Region III and the states and interstate commissions have established a mutual priority of fostering progressive trading and watershed approaches to traditional programs. In the NPDES program, WPD adopted a NPDES draft permit review which documents the tasks during the Region's review of state-developed draft permits. EPA, in cooperation with the states, developed and implemented a NPDES draft permit checklist for municipal and industrial major sources to reduce resources spent on permit oversight and ensure consistency and quality control. The EPA

review period for draft permits submitted with checklists is now three days, compared to 30 days with no checklist. WPD continues to use the “Daunting Dozen” list of the oldest expired permits which are targeted for reissuance. WPD has also developed and maintains a Permit Tracking System (PTS) as a tool to supplement the national PCS database information. Information in PTS assists the Region in tracking draft permit reviews and permit development; provides detailed information such as locations of CSO and storm water outfalls; and allows the Region to identify permitting issues such as CAFO information, 303(d)/TMDL requirements, potential 316(a)/(b) impacts, etc.

Region III continues to emphasize the importance of implementing Phase II storm water regulations in the states. The Region’s storm water strategy includes providing states with training and technical assistance, promoting Low-Impact Development at federal facilities, and partnering with the Federal Highway Administration to improve storm water management in transportation projects.

The Region III Water Quality Standards team has established a number of priority actions to help states address water quality problems that do not have immediate and straightforward solutions. Some actions include reviewing states’ submissions of standards within the 60-90 day statutory time frame; meeting obligations under the Endangered Species Act; and increasing and sharing Region III’s knowledge base on the requirements for developing Use Attainability Analyses (UAAs).

By the end of FY 2003, Region III’s Water Quality Standards (WQS) program had relatively few backlogs compared to the rest of the nation. Also in 2003, Region III launched its first WQS Intranet site, successfully managing the exchange of many WQS-related documents. There will be continuing upgrades to the site to improve its use as a viable communications tool. As part of its action agenda, the Region III WQS team will develop Region III-specific guiding principles for UAA sub-topics (e.g. recreational use UAA, Aquatic life use UAA, or UAA for extreme flow). Region III’s goal is to have water quality standards that include the highest attainable uses, combined with standards that reflect current uses.

In FY 2003, Region III and the states engaged in one-on-one discussions and detailed evaluations of state water quality monitoring strategies. Region III does not foresee major problems refining state strategies before the 2005 grant cycle. In general, Region III states are fairly strong in the use of multiple monitoring tools and use of biological indicators. To support and answer water quality management decisions over time and across the nation, Region III emphasizes Integrated Monitoring Designs that incorporate multiple tools including probability-based surveys, landscape models, and targeted site-specific monitoring.

Region III will continue to work with the states to ensure the adoption of final water monitoring strategies implementing the Agency’s *Elements of a State Water Monitoring & Assessment Program* guidance by fall 2004. Strategic actions include making sure the states

submit the *Questionnaire for Elements of an Ambient State Monitoring & Assessment Program* and continuing dialogue and meetings with the States to address concerns pertaining to their monitoring strategies.

An area of mutual priority for Region III and its states and interstate commissions is enhancing monitoring to support assessment and database management. EPA and its state and interstate partners will together focus monitoring efforts in high-priority geographic areas. In addition, they will work together to address three predominant needs of the states: resources, STORET data system improvements, and improved guidance in the areas of prioritization among competing demands and data assessment. They will also engage in discussions to detail data integration across programs. Region III provides approximately \$20 million per year to implement their approved Nonpoint Source Management Plans. These management plans contain goals and objectives that, when fully implemented, will restore and protect the region's water quality. In addition to implementing these programs and initiatives, states provide funding to implement watershed based plans. Watershed based plans can be developed to protect existing habitat and water quality and/or to restore habitat and water quality that has been impaired or polluted. These plans contain specific actions that are necessary to restore and protect water quality, habitat and natural resources concerns in individual watersheds.

### Strategies, Tools and Measures

Strategies	Tools/Programs	Region-Specific Measures
Focus on environmental results first.	1) Focus on public health outcome. 2) Recognize links across the water, air, and land programs to collaborate on common goals. 3) Target and plan work based on sound science. 4) Communicate the "big picture" problems, challenges, environmental and health consequences, action strategies, indicators, and results. 5) Deploy resources to the problems to obtain the greatest environmental benefits.	1) Use the national strategic targets and PAMs as outcome and output measures. 2) Develop specific environmental indicators and measures for Region III's source water pilots, nitrates strategy initiative, and other geographically targeted efforts and will discuss the development of measures and environmental results in reporting to headquarters.

Strategies	Tools/Programs	Region-Specific Measures
<p>1) Work in priority places to integrate source water protection and watershed management.</p> <p>2) Promote innovation in the use of traditional tools.</p> <p>3) Perform work as part of the EPA/state watershed restoration regional priority.</p>	<p>1) Promote greater use of Performance Partnership Agreements and Grants.</p> <p>2) Apply market-based tools including pollutant trading.</p> <p>3) Use watershed permits and prioritization to reduce oversight and promote environmentally indexed actions.</p> <p>4) Address wet weather pollution (CSO, SSO, Storm water).</p> <p>5) Work in partnership with the Chesapeake Bay Program on nutrient criteria, standards, and implementation strategies to achieve results.</p> <p>6) Assure that each state and the District of Columbia has Watershed Implementation plans in place that direct the use of all nonpoint source program implementation funding.</p>	<p>1) Use the national strategic targets and PAMs as outcome and output measures.</p> <p>2) Develop specific environmental indicators and measures for the Region's source water pilots, nitrates strategy initiative, and other geographically targeted efforts and will discuss the development of measures and environmental results in reporting to headquarters.</p>
<p>Ensure that a credible compliance and enforcement presence is maintained through coordinated State and EPA actions as part of the EPA/state watershed restoration regional priority.</p>	<p>1) Enhance the dialogue with states on effective work sharing and coordination of inspections, compliance, and formal enforcement actions.</p> <p>2) Target actions to meet key environmental results-oriented strategies and place-based priorities; make creative use of Supplement Environmental Projects and enforcement settlements to contribute to other priority goals.</p> <p>3) Develop joint strategies for focused outreach and technical assistance activities to priority sectors and geographic areas.</p>	<p>Use the national strategic targets and PAMs as outcome and output measures.</p>

Strategies	Tools/Programs	Region-Specific Measures
<p>Promote more sustainable approaches to local water and wastewater infrastructure and management.</p>	<ol style="list-style-type: none"> <li>1) New voluntary partnerships, including those with other federal agencies, to promote Low Impact Development and other sustainable storm water management methods, both structural and non-structural.</li> <li>2) Publicize the land/water connection and importance of healthy watersheds.</li> <li>3) Advance EMSs and asset management as tools for local utilities.</li> <li>4) Partner with the Brownfields programs and the Region's Land Reuse Plan.</li> <li>5) Develop watershed-based solutions as part of our CSO/SSO and other municipal plans.</li> <li>6) Employ the SRF programs to fund and reinforce this objective.</li> <li>7) Encourage partnerships with local governments for implementation of the on-site system management guidelines.</li> </ol>	<ol style="list-style-type: none"> <li>1) Ensure the benefit of the latest science and data to inform decisions on infrastructure and management of the water resource.</li> <li>2) Use the national strategic targets and PAMs as outcome and output measures.</li> <li>3) Develop specific environmental indicators and measures for our source water pilots, nitrates strategy initiative, and other geographically targeted efforts and will discuss the development of measures and environmental results in reporting to headquarters.</li> </ol>
<p>Mine Pools in PA and WV - the states and the Office of Surface Mining will have the lead in developing action plans to address the growing threat from mine pool overflows into previously improved streams, with EPA's assistance. The strategies will employ a combination of Technology, Outreach, Financial, Legal and Legislative approaches. Mine Restoration Advisory Board Task Force Resolutions will be used as a guide post in PA. EPA will continue to support technical assistance tools and troubleshoot programmatic issues.</p>	<p>TECHNOLOGY:</p> <ol style="list-style-type: none"> <li>1) Conduct research on in-situ treatment and in-situ abatement; Passive treatment/ Active treatment; Surface infiltration reduction; Economic recovery of metals; Water reuse strategies.</li> </ol> <p>OUTREACH:</p> <ol style="list-style-type: none"> <li>2) Partner with state and local agencies to market mine pools as a resource.</li> <li>3) Develop outreach plans to the public about the potential overflows.</li> </ol> <p>FINANCIAL:</p> <ol style="list-style-type: none"> <li>4) Provide fiscal support to technical assistance providers to target the best entry points for intervention.</li> </ol> <p>LEGAL/LEGISLATIVE:</p> <ol style="list-style-type: none"> <li>5) Water Quality Effluent Trading projects.</li> <li>6) Analyze permitting and water quality standards requirements and determine regulatory flexibility options which yield the best environmental results.</li> </ol>	<ol style="list-style-type: none"> <li>1) Completion of state-specific Action plans. (State lead)</li> <li>2) Completion of a Assistance Plan by EPA Region III to aid in the completion of State Action Plans.</li> <li>3) Prevention of new pollutant discharges from overflows (metals, pH, solids, iron).</li> </ol>

Strategies	Tools/Programs	Region-Specific Measures
Provide monitoring enhancements that support assessment and database management.	1) Use permit tracking system (PTS) to supplement national PCS database information. 2) Support states' requests for sampling methodology comparability analysis when possible. 3) Develop strategy to address states' needs in area of resources, STORET improvements, and improved guidance on prioritization among competing demands & data assessment.	1) Use the national strategic targets and PAMs as outcome and output measures.
Focus on water quality standards issues relating to microbial, pathogens, and wet weather issues.	1) Review and approve or disapprove changes to water quality standards. 2) West Virginia Department of Environmental Protection and DE Department of Natural Resources and Environmental Control will pilot with EPA to understand the challenges of wet weather use attainability analysis, the refinement of bacteria water quality standards, and control of wet weather sources and resulting water quality. 3) Deploy resources to develop and communicate the regional understanding of existing water quality and water quality goals as they relate to wet weather issues.	1) Use the milestones in the Water Quality Standard and Criteria Strategy as the Region's outcome and output measures. 2) Document, on a regional level, our current understanding of water quality standards issues relating to microbial, pathogens, and wet weather issues.

### Sub-objective 2.2.2: Improve Coastal and Ocean Waters

#### Current State/Major Problems to be Addressed

The condition of the Mid-Atlantic coastal and ocean waters are influenced by increases in population living near the coast, the large number of shipping ports in the region, major municipal sewage dischargers along the region's coast, historic dumping in the Mid-Atlantic Bight, oil spills, and marine debris. Observed trends are as follows:

- Nitrogen has increased over the last 20 years.
- Phosphorous has also increased, but not significantly.
- Chlorophyll has decreased.
- Dissolved oxygen is high except in the northern portion along the New Jersey coast.
- Water turbidity has decreased and may reflect control of sediment runoff.
- Marine debris has decreased but is still a major problem.
- Living resources indicated a good overall coastal habitat.

- Point sources are under control.
- Habitat loss in the estuaries due to dredging has resulted in a loss of coastal fisheries.

### Strategy Highlights

To preserve the resource, the Region will continue its trends monitoring, will add pathogens to coastal monitoring, determine the atmospheric inputs of nutrients in coastal waters, determine the extent of contaminants in coastal and shell fisheries, further habitat protection in small estuarine areas which have special nursery value, extend the artificial reef program, and push the estuary program to further anadromous fish passage restoration which could enhance coastal fisheries.

The Coastal Nonpoint Source Pollution Control Program (Section 6217) addresses nonpoint pollution problems in coastal waters. Section 6217 requires coastal states with approved Coastal Zone Management Programs to develop Coastal Nonpoint Pollution Control Programs (CNPSC). In its program, a state describes how it will implement nonpoint source pollution management measures that conform with those in national guidance. This program is administered jointly with the National Oceanic and Atmospheric Administration (NOAA). In Region III, all of our eligible states, i.e Delaware, Maryland, Pennsylvania, and Virginia, have approved CNPSC programs.

### Strategies, Tools and Measures

Strategies	Tools/Programs	Region-Specific Measures
Monitor ocean dump sites.	OVS Anderson.	Further downward trends.
Restore coastal areas.	Coastal America.	Initiate DelMarVa Program, and at least one project in FY 2004.
Monitor artificial reef projects.	Dive program.	Increased biomass/biodiversity.
Assure that states are adequately implementing their CNPSC programs.	Work with states to develop methodologies to track the implementation of management measures.	Increased implementation of management measures.

## **GOAL 3: LAND PRESERVATION AND RESTORATION**

### **Objective 3.1: Preserve Land**

#### **Sub-objective 3.1.1: Reduce Waste Generation and Increase Recycling**

##### Resource Conservation and Recovery Act (RCRA) Subtitle D

##### **Current State/Major Problems to be Addressed**

The RCRA Subtitle D program addresses solid wastes not covered under the hazardous waste (RCRA Subtitle C) and underground storage tank (RCRA Subtitle I) programs. Currently, over 12 billion tons of non-hazardous industrial waste and over 200 million tons of municipal solid waste (MSW) are generated annually, including scrap tires, sewage sludge, mining wastes, garbage, construction and demolition debris, and household hazardous waste. When such wastes are disposed of, human health and the environment can be put at risk and an opportunity to reuse and recycle valuable resources is missed.

A major hurdle, especially for the waste reduction and recycling programs, is how to effectively change behavior at the individual and corporate levels. Education and outreach to challenge generators and purchasers to think and behave differently is essential. Regional approaches need to be fostered and markets for recovered goods need to be stimulated.

##### **Strategy Highlights**

Region III uses a variety of methods to achieve the goals of waste reduction and increased recycling. The Region works with state partners to support their efforts and foster interstate cooperation and coordination, often accomplished through summits. Region III supports and participates in a variety of conferences and seminars to educate stakeholders and assist local governments with program activities. The Region awards grant funds to partnering non-profit, state, and local government organizations. The Region also works on a variety of non-hazardous wastes (e.g., scrap tires, industrial waste, and used electronics) to attempt to have them beneficially reused, recycled, or disposed of in a safe manner. The expected outcomes of the RCRA waste reduction and recycling programs are to show decreases in waste generation and energy usage and to show increases in the reuse and recycling of waste materials.

Region III is interested in developing new and innovative technologies or processes that will facilitate the prevention or the re-use/recycling of solid wastes. Region III's grant with the Institute for Local Self Reliance (ILSR), a nonprofit which supports the Mid-Atlantic Consortium of Recycling and Economic Development Officials (MACREDO), is designed to provide a network of states and other stakeholders to facilitate innovative development. In FY04, ILSR will coordinate one MACREDO meeting and one summit of solid waste landfill permitting officials and support state market development efforts by partnering with state agency recycling outreach efforts, such as the forums on RCRA Subtitle C&D waste, collection of mixed paper, and electronics recovery. Also, EPA Headquarters has provided, and may continue to provide, a competitive grant program for RCRA Subtitle D type innovations that fall under the Agency's



Resource Conservation Challenge (RCC). The Region III Solid Waste Team leads a national RCC effort to recycle scrap tires and is currently drafting an EPA policy to support the use of scrap tires as tire- derived fuel for cement kilns.

### Strategies, Tools and Measures

Strategies- RCRA Subtitle D	Tools/Programs	Region-Specific Measures
Support development of new and expanded approaches to reduce and recycle a variety of waste streams.	Participate on workgroups.	Information on waste generation, energy usage, reuse, and recycling rates.
Increasing the current recycling rate from 31 percent to 35 percent by 2008.	<ol style="list-style-type: none"> <li>1) Work with state partners to support their efforts and foster interstate cooperation and coordination, often accomplished through summits.</li> <li>2) Support and participate in a variety of conferences and seminars to educate stakeholders and assist local governments with program activities.</li> <li>3) Award grant funds to partnering non-profit, state, and local government organizations.</li> <li>4) Additionally, the Region also works directly with federal facilities to encourage selective "green" procurement to increase markets for recycled-content products.</li> <li>5) The Region also works on a variety of non-hazardous wastes (scrap tires, industrial waste, used electronics) to attempt to have them beneficially reused, recycled, or disposed of in a safe manner.</li> </ol>	Information on waste generation, energy usage, reuse, and recycling rates.
Maintain the current national MSW generation rate of 4.5 lbs/day/person.	<ol style="list-style-type: none"> <li>1) Work with state partners to support their efforts and foster interstate cooperation and coordination, often accomplished through summits.</li> <li>2) Support and participate in a variety of conferences and seminars to educate stakeholders and assist local governments with program activities.</li> <li>3) Award grant funds to partnering non-profit, State, and local government organizations.</li> </ol>	Information on waste generation, energy usage, reuse, and recycling rates.

### **Sub-objective 3.1.2: Manage Hazardous Wastes and Petroleum Products Properly**

#### **Resource Conservation and Recovery Act (RCRA) Underground Storage Tank (UST) Program**

##### **Current State/Major Problems to be Addressed**

The RCRA UST program provides comprehensive design, construction, and operation standards for USTs to prevent releases to the environment. Currently, all Region III states are authorized for the RCRA UST program and are working to achieve the 2008 goal of increasing UST operational compliance rates. The current regional averages indicate a 69 percent leak detection compliance rate and a 70 percent upgrade compliance rate.

The UST universe is large and dispersed and states are under strain to meet program objectives with shrinking budgets. Compounding the shrinking state resources issue is the flat level of federal grant funds despite rising state costs for program implementation. Regulatory complexity and the high turnover of employees at gasoline stations are complicating factors that also adversely impact UST compliance.

##### **Strategy Highlights**

Region III identifies its share of the national UST program goals (usually about 10 percent of the national objectives) and distributes these goals proportionately across the states in Region III over the period covered by the national goal. Subsequently, RCRA grant work plans are negotiated to set annual performance expectations for the states that will assure meeting long-term objectives. Region III relies principally on state staff to manage the bulk of UST program operations and responsibilities.

Region III uses several approaches in concert with its States to prevent releases from USTs: (1) education and outreach to the regulated community through compliance assistance; (2) traditional compliance inspections and follow up enforcement; (3) partnerships with industry; (4) third-party inspection programs; and (5) integration of inspection activities with other related environmental or tank management programs. Region III works with its state partners by training state employees and building capacity, as well as financially supporting state UST programs with grants and providing effective and constructive program oversight. Region III and the states have begun to employ GIS mapping tools; these will be used to help set inspection priorities to prevent spills and to clean up UST releases in geographical areas that threaten sensitive populations and ecosystems. This initiative supports the regional priority of protecting sensitive populations.

**Strategies, Tools and Measures**

<b>Strategies- RCRA UST</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
Promote operational compliance at UST facilities.	1) Provide education and outreach to the regulated community in compliance assistance. 2) Conduct traditional compliance inspections and follow-up enforcement. 3) Establish partnerships with industry. 4) Promote third-party inspection programs. 5) Integrate inspection activities with other related environmental or tank management programs. 6) Administer state grant programs and support through technical support, training, capacity building, funding and program oversight. 7) Employ GIS mapping tools to set inspection priorities to prevent spills and clean up UST releases in geographical areas that threaten sensitive populations and ecosystems.	Number of facilities in compliance.

**Objective 3.2: Restore Land****Sub-objective 3.2.1: Prepare for and Respond to Accidental and Intentional Releases**Emergency Response and Removal Program**Current State/Major Problems to be Addressed**

EPA has a major role in reducing the risk to human health and the environment posed by accidental or intentional releases of harmful substances and oil. Region III has time-tested program components in place, which have proven successful in reducing and controlling risks and ensuring rapid response to accidental releases and unintentional environmental emergencies. The Region will continue to maintain and strengthen these components, while responding effectively to emergencies of various types and degrees.

Region III's on-scene coordinators (OSCs) are ready to respond to accidental releases of hazardous substances and oil that present an imminent and substantial endangerment to human health and the environment. With their state counterparts and local responders, OSCs are on call 24-hours to prevent, stabilize, or cleanup substantial risks. In order to maintain the effectiveness of this workforce, it is essential to equip OSCs with a wide range of communication technologies, provide continuous training in health and safety protocols, and exchange knowledge with first responders and Federal Emergency Management Agency (FEMA) staff.

An emerging component in this program deals with intentional releases of toxic or hazardous compounds. Acts of terror are initially handled by law enforcement authorities.

EPA's responsibilities focus on the consequences: environmental monitoring and cleanup. The Capitol Hill and Brentwood Post Office cleanups are examples of how Region III has been able to deal with and coordinate a response to a biological attack. In this area, working with first responders is critical to minimizing the impact of any weapon of mass destruction. Close cooperation with law enforcement and public health officials will be a high priority over the next three years. The key to readiness is training and staging simulated terrorist incidents with other essential personnel.

EPA has developed a measurement program called Core Emergency Response (Core ER) which integrates the emergency release component with the traditional emergency response and planning functions. Nationally, the agency provides a mechanism for evaluating improvements in a region's program on an annual basis against objective criteria.

### Strategy Highlights

Region III's strategy is to maintain its present programmatic focus and to involve FEMA and its state and local responders in its responses where feasible. Region III will keep close contact with industry to secure compliance with existing laws and prevent the possibility of accidental, harmful releases to the environment. The Region's approach to building capabilities includes using the Core ER as a guide. In particular, it is recognized that an increased level of training and exercises, along with enhanced outreach with other federal agencies, states, and local governments will be needed. Direct program implementation along with compliance assistance, industry partnerships, and increased coordination with the national and local law enforcement agencies will make up the major components of the Region's strategy. The expected outcomes should be increases in the annual regional scores under the Core ER measurement tool, which will include assessment of the Region's ability to respond to acts of terrorism as well as the capacity to respond to traditional environmental emergencies resulting from accidental releases and disasters.

### Strategies, Tools and Measures

Strategies- Emergency Response and Removal	Tools/Programs	Region-Specific Measures
Operate and maintain the Superfund emergency response program to respond effectively to accidental and intentional releases of harmful substances.	Emergency, time critical, and non-time critical removal activations, performed by the parties responsible for contamination or by EPA when those parties cannot be found or are unable or unwilling to take on necessary action. Include state and local responders in the incident command structure where desirable.	Start and completion of removal actions as need and funding warrant. Removal starts, completions, and decision documents shall be used to prepare out-year budgets.

Strategies- Emergency Response and Removal	Tools/Programs	Region-Specific Measures
1) Integrate emergency response, Chemical Emergency Preparedness Plan (CEPP), oil, and anti-terrorism elements into an overall Core ER plan for regional response readiness. 2) Inform the Federal Emergency Management Agency (FEMA) of Core ER plan. 3) Improve emergency readiness.	1) An overall Core ER plan for the regional response program, communicated to state and local responders. 2) Annual national review of the Region's Core ER plan. 3) Coordination with FEMA as the nature of a response becomes known (EPA to provide assistance to FEMA or to seek assistance from FEMA).	1) Posting of regional information on the internet so that other responders can access the main elements of the Region's Core ER plan. 2) Improved regional Core ER score, based on annual review.
Build on lessons learned from 9/11, Capitol Hill and Brentwood anthrax cleanups.	Contingency plan development and disaster scenario drills with other federal, state, and local responders, involving law enforcement authorities when appropriate.	At least one regional contingency operation with state and local responders annually.

### Oil Program

#### **Current State/Major Problems to be Addressed**

The main focus of the Oil Program is to prevent oil spills from reaching the nation's waters. EPA conducts inspections at facilities required to prepare and maintain Spill Prevention, Control, and Countermeasure (SPCC) plans; responds to reports of oil spills; maintains contact with the Coast Guard (which also has an oil spill mission in coastal waters); and exchanges information with state and local responders. For certain large bulk storage facilities, EPA receives and approves Facility Response Plans (FRPs), which outline how a facility will respond to a major release of oil. Spill incident reports are maintained at the National Response Center. SPCC inspections and FRPs are maintained by the regional program. The key element is to promote prevention and response planning, knowing that industry has the best tools to prevent spills. In the event of a spill, EPA and its state counterparts are prepared to respond quickly and effectively.

#### **Strategy Highlights**

The Region will continue to promote and maintain partnerships with industry and with local and state agencies to ensure well-trained emergency response personnel and good prevention efforts. EPA-conducted inspections and compliance assistance, and, where necessary, enforcement, are important parts of these programs.

**Strategies, Tools and Measures**

Strategies- Oil	Tools/Programs	Region-Specific Measures
Provide technical assistance to local agencies, states, and industries as they strive to improve their spill contingency and prevention plans.	1) Conferences and meetings to exchange information. 2) Contingency planning and disaster scenario drills with other federal, state and local responders, involving law enforcement authorities when appropriate.	1) Host conferences and meetings as funding allows. 2) At least one regional contingency operation with state and local responders annually. 3) Number of oil spills responded to or monitored by EPA. 4) Number of inspections and exercises conducted at oil storage facilities that are required to have FRPs.

**Sub-objective 3.2.2: Cleanup and Reuse Contaminated Land**Superfund Remedial and Removal Programs**Current State/Major Problems to be Addressed**

EPA and its partners work to clean up contaminated land to levels sufficient to control risks to human health and the environment and to return the land to productive use. The Agency's cleanup activities, some new and some well-established, include removing contaminated soil; capping or containing contamination in place; pumping and treating groundwater; and bioremediation. EPA is especially concerned about the risks to our most sensitive populations such as children, the elderly, and individuals with chronic diseases.

Two environmental indicators, Current Human Exposures Under Control and Current Migration of Contaminated Groundwater Under Control, are key measures of success for the program. Current Human Exposures Under Control and Current Migration of Contaminated Groundwater Under Control are achieved through interim measures such as drinking water replacement, waste/soil removal, soil vapor extraction, and groundwater pumping stabilization or through implementation of a final remedy. Although these results are important milestones for clean-up programs, achieving these results does not imply that a site is cleaned up. For many sites, remediation will continue until final clean-up standards have been met.

Superfund data is maintained in the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS), the Superfund program's main information repository. Wastes removed by specific media are recorded in CERCLIS in the environmental indicator sections of the database. These indicators should be reviewed to see if new indicators need to be added and former ones updated. Since the beginning of the Superfund program, Region III has completed 918 responses at 628 National Priorities List (NPL) and Non-National Priorities List (Non-NPL) sites.

### Strategy Highlights

The Region will continue to address immediate threats to human health and the environment by taking emergency removal actions. Potential sites will be assessed and those presenting a significant long-term threat to human health and the environment will be addressed by the remedial program. Construction completion of sites continues to be the significant milestone for the remedial program. The Region will continue to enter into federal facility agreements and interagency agreements with other federal agencies in order to clean up sites and have them delisted from the National Priorities List (NPL).

Region III performs direct program implementation in Superfund, leading to cleanup and, in many cases, reuse of contaminated sites. The cleanup and reuse of Superfund sites helps advance the regional priority of encouraging environmentally responsible development. Furthermore, with the cooperation of the Department of Defense, the Region is identifying and assessing Formerly Used Defense Sites (FUDS) and a number of these facilities have been and will be transferred to local governments for reuse or development. The Region will cooperate with other agencies to clean up Base Realignment and Closing (BRAC) sites and transfer appropriate land parcels to the private sector.

The Land Revitalization Initiative complements the Agency's traditional cleanup programs by focusing on solutions that improve the quality of life and economy of affected communities. The Region will continue to include front end planning for the final, productive use of contaminated lands in cleanup plans for NPL sites and other sites. Building on past successes at more than 99 sites in the region, the Region will continue to promote land re-use and revitalization.

The Superfund and Watershed programs in the Region are working together to use Superfund data and authorities to advance Clean Water Act objectives. Examples include the Region's work in the Delaware Estuary and the Schuylkill River watershed.

### Strategies, Tools and Measures

Strategies- Superfund Remedial and Removal Programs	Tools/Programs	Region-Specific Measures
Identify sites that present significant long term threats to human health and the environment.	1) Site Assessment Program. 2) Hazard Ranking System to determine candidate sites for the National Priorities List (NPL).	1) Number of sites assessed. 2) Number of sites listed on the NPL.
Accelerate Construction Completions at NPL sites.	1) Utilize HQ funding for EPA-lead sites with construction completion potential. 2) Enforcement First policy implementation to ensure responsible party participation.	1) Number of NPL site construction completions. 2) Number of site deletions from the NPL.

<b>Strategies- Superfund Remedial and Removal Programs</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
Mitigate risks to human health and the environment from uncontrolled hazardous waste sites.	1) Superfund remedial and removal programs. 2) Superfund Enforcement First policy.	1) Number of Superfund sites with human exposures controlled. 2) Number of Superfund sites with groundwater migration controlled. 3) Number of final remedies selected at Superfund sites.
Facilitate reuse of cleaned up Superfund and BRAC sites.	1) Findings of Suitability for Transfer of BRAC Facilities. 2) Ready for Reuse Evaluations and Determinations. 3) Land Revitalization Initiative.	Number of sites reused.
Use NPL and Removal data to support Total Maximum Daily Load (TMDL) standard setting.	Current and historical NPL site data.	Attempt at least one pilot involving data sharing with water resources partners.
Identify opportunities to address wetlands and Chesapeake Bay Program goals in cleanup decisions.	Geographic Information Systems.	Attempt at least one pilot that incorporates wetlands or Chesapeake Bay goals in the remedy for a site.

### Resource Conservation and Recovery Act (RCRA) Corrective Action (CA) Program

#### **Current State/Major Problems to be Addressed**

The Region has committed to a 2005 deadline for controlling human exposure at 95 percent of high priority RCRA facilities and controlling contaminated groundwater at 70 percent of high priority RCRA facilities. (Percentages calculated on a 1997 baseline of 284 facilities for Region III.) This commitment means that Region III will address health exposures at 270 facilities and groundwater issues at 199 facilities by 2005. Region III works with its states to complete work at all the facilities and currently, four states are authorized for RCRA CA. Region III leads the RCRA CA program in Pennsylvania, the largest Region III state with 162 high priority facilities, because the program is not yet authorized. Working together, the Region and states have exceeded corrective action objectives from FY1999 through FY 2003. Currently, the Region determined health exposures controlled at 221 facilities (78%) and groundwater controlled at 184 facilities (65%). The Region is projecting success in meeting the 2005 goals as well. Efforts to use and reuse this land support the regional priority of encouraging environmentally responsible development.

Two environmental indicators (EIs), Current Human Exposures Under Control and Current Migration of Contaminated Groundwater under Control, will remain the principal



measurement of success for the Region through 2005. Current Human Exposures Under Control and Current Migration of Contaminated Groundwater Under Control are achieved through interim measures such as drinking water replacement, waste/soil removal, soil vapor extraction and groundwater pumping stabilization activities or through implementation of a final remedy. Although these results are important milestones for clean-up programs, achieving these results does not imply that a facility is cleaned up. Facilities are expected to continue remediation until the final clean-up standards have been met.

RCRA site redevelopment is not new in Region III. The Allied Baltimore Corrective Action Consent Decree incorporated redevelopment into the Consent Decree when it was signed in 1989. Since that time the Region has found a variety of creative solutions to facilitate redevelopment at both private and federally owned Corrective Action facilities. Region III's RCRA CA program will work to coordinate clean-up requirements with redevelopment as long as a facility is committed to meeting all of their RCRA CA program obligations. Over 20 RCRA facilities have undergone redevelopment. Redevelopment progress at these sites is tracked at the following web site: [www.epa.gov/reg3wcmd/ca/bf\\_facilities.htm](http://www.epa.gov/reg3wcmd/ca/bf_facilities.htm).

Many factors may impact the Region's ability to achieve its objectives for CA clean-ups. These factors are primarily related to the level of funding provided to the programs at the regional and state level. Newly discovered threats, particularly the potential for vapor intrusion into residential spaces, puts significant pressure on staff and resources to prudently manage CA facilities with groundwater plumes. In addition, making progress also depends heavily on participation of states that have been authorized or approved to be the primary implementors of these programs. Another challenge is that federal funding to support RCRA CA activities has been declining, despite rising state costs for program implementation.

### **Strategy Highlights**

The Region uses a variety of tools to manage cleanups including: permits, enforcement actions, consent agreements, federal facilities agreements (FFAs), and state and facility-lead agreements. The Region will track, beginning this year through 2008, facility projections for construction completion, remedy selection, Current Human Exposures Under Control, and Current Migration of Contaminated Groundwater under Control. The Region will submit projections naming facilities that will achieve EIs in the years 2003, 2004, and 2005. In addition, the Region will identify a list of facilities not projected to meet either EI mentioned by FY 2005 with supporting explanation. The information will be used to determine whether there is a need to shift resources or to take other actions to meet the Government Performance and Results Act (GPRA) corrective action goals. Region III will also work with its states toward achieving the FY2008 RCRA national corrective action performance measures for remedy selection and construction completion.

For purposes of coordinating redevelopment with RCRA CA clean-ups, Region III will meet with RCRA facilities, states, various EPA programs, developers, and communities to

design practical solutions to property transfers, facility clean-ups and redevelopment at RCRA CA sites, while ensuring protection of human health and the environment, thereby supporting the regional priority of encouraging environmentally responsible development.

### Strategies, Tools and Measures

Strategies- RCRA CA	Tools/Programs	Region-Specific Measures
<p>1) Work cooperatively with its State and local government partners to ensure that all CA facilities have approved controls in place and do not pose an unacceptable risk to the community.</p> <p>2) For facilities that have not met goals, the Region will work with authorized States to help resolve issues and transfer successful strategies.</p> <p>3) To achieve greater efficiencies at RCRA CA facilities, the Region will also promote innovative technologies and streamline clean-ups to facilitate meeting the national objective.</p> <p>4) Promote coordination of RCRA CA clean-ups with site redevelopment.</p>	<p>1) Permits, enforcement actions, consent agreements, federal facilities agreements (FFAs), and many other mechanisms.</p> <p>2) As part of EPA's One Clean-Up Program initiative, programs at all levels of government work together to ensure that: appropriate clean-up tools are used; resources, activities, and results are coordinated with partners and stakeholders and effectively communicated to the public; and clean-ups are protective and contribute to community revitalization.</p> <p>3) Coordinate with RCRA facilities, states, various EPA programs, developers, and communities.</p> <p>4) Coordinate with state voluntary and economic programs.</p> <p>5) Provide comfort letters or prospective purchaser agreements.</p> <p>6) Defer federal facility clean-ups to Superfund BRAC program.</p> <p>7) Accelerate EPA reviews to facilitate redevelopment deals.</p>	<p>1) Facility projections for Current Human Exposures Under Control.</p> <p>2) Facility projections for Current Migration of Contaminated Groundwater under Control.</p>

### Resource Conservation and Recovery Act (RCRA) Leaking Underground Storage Tank (LUST) Program

#### **Current State/Major Problems to be Addressed**

Approximately 143,000 LUST sites are currently in the backlog of releases that have yet to be listed as "clean-up completed" in the national database of LUST program activities. In Region III, there are about 10,200 LUST backlog sites. The backlog has been declining since FY 1999; however, the states report that clean-ups are taking longer to accomplish and that overall clean-up accomplishments will likely slow as the more difficult clean-ups are addressed. Overall, there has been a decrease in new confirmed releases.

Recent LUST program data suggests that clean-ups are taking more time to complete, thereby placing the FY 2008 goal for clean-ups in jeopardy. The remaining LUST sites are more complex than earlier site clean-ups and will take more time and resources to close. The less complicated site clean-ups have been completed. EPA has asked states to gather data to support this situation so that impacts can be determined more accurately.

### Strategy Highlights

The Region III LUST program has been establishing state-specific clean-up goals since FY 1998 and will continue to negotiate annual clean-up goals with its states through cooperative agreements. These goals will generally align with regional targets that have been established by EPA headquarters Office of Underground Storage Tanks (OUST). Fundamentally, EPA works to optimize state program performance by analyzing the particular strengths and weaknesses of each state program.

The Region III LUST program will formally review state performance towards achieving program goals negotiated in cooperative agreements twice each year and continually throughout the year. To enhance performance, Region III promotes the application of a variety of program enhancement tools in the states including risk-based decision making, data analysis and clean-up, and pay-for-performance contracting.

### Strategies, Tools and Measures

Strategies- RCRA LUST	Tools/Programs	Region-Specific Measures
Accomplish Region III's portion (approximately 10,500) of national goal of 105,000 clean-ups by the end of 2008.	1) Support state programs through financial and technical support, grant program oversight, and capacity building. 2) Establishment of state-specific clean-up goals.	1) LUST clean-ups completed. 2) Progress towards clean-up (for difficult LUST sites).

### Resource Conservation and Recovery Act (RCRA) Permitting

#### Current State/Major Problems to be Addressed

All Region III states are authorized for RCRA permitting and are working to achieve the 2005 target of 80 percent of all RCRA treatment, storage, and disposal facilities under full permits. As of October 2003, Region III and its states have issued full permits to 75 percent of all RCRA treatment, storage, and disposal facilities.

The major problem for RCRA permitting is shrinking state resources at a time when states are under strain to meet many environmental needs. The level of federal RCRA grant funds has remained flat for several years, despite rising state costs for program implementation. Region III is working to overcome this obstacle through streamlined grant processes, work-sharing among the Region and state technical staff, and joint planning for high priority projects.

### Strategy Highlights

The strategy is to reduce waste at its source, recycle waste, and manage waste effectively by preventing spills and releases of toxic materials and cleaning up contaminated properties. Region III is especially concerned about threats to sensitive populations, such as children, the elderly, and individuals with chronic diseases; protecting these populations is a regional priority. Region III relies on state RCRA permitting staff to manage the workload and provides guidance and technical assistance on more complex waste operations.

Hazardous waste management permits, containing properly designed controls, have already made significant progress in minimizing release of and exposure to hazardous substances. Region III will continue to work with its state and local government partners to ensure that hazardous waste management facilities have approved controls in place and continue to be held responsible for safeguarding health and the environment from adverse effects of releases. The Region will work with authorized states, particularly those with a large number of unpermitted facilities, to resolve technical issues and support meaningful public involvement. Region III also plans to develop guidance and strategies for key categories of facilities to clarify issues and expectations for the facilities and for states.

Region III will continue to focus its attention in providing assistance to the states in the permitting of the remaining universe. Through the integration of long term permitting planing in the grant work plans, the Region and States can identify where resources should be made available to make progress on the permitting process. Simultaneously, the Region identifies its own resources and the required expertise and makes resources available to maintain progress in the permitting process. In addition, the Region leads in the development of national policy to streamline the permitting of Combustion and Subpart X facilities, which amount to a significant portion of the un-permitted universe and are the more technically challenging. This direct regional participation at the national level provides the states with the latest approaches and guidelines in the development of these permits. Region III expects to exceed EPA's current national target of 80 percent of the RCRA universe under permit by 2005.

### Strategies, Tools and Measures

Strategies- RCRA Permitting	Tools/Programs	Region-Specific Measures
Reduce waste at its source, recycle waste, and manage waste effectively by preventing spills and releases of toxic materials and cleaning up contaminated properties.	1) Work with authorized states, specifically those with a large number of facilities lacking approved controls in place, to help resolve issues and transfer successful strategies from other states. 2) Study the universe of facilities without permits and work with states to identify and resolve issues that may be preventing key categories of facilities from obtaining permits or putting other approved controls in place. 3) Promote new innovative technologies that streamline RCRA permitting processes and improve protection of human health and the environment.	1) Numbers of RCRA permits issued. 2) Numbers of RCRA post-closure mechanisms put into place.

Strategies- RCRA Permitting	Tools/Programs	Region-Specific Measures
Long term planning to identify resources/expertise needs.	1) Integration of long term permitting planing in the RCRA grant work plans. 2) Focus support efforts on combustion and subpart X facilities, which represent the largest portion of the un-permitted universe in the regions. 3) Lead national policy making through workgroup participation to maintain currency with streamlined permitting approaches.	Number of RCRA permits issued.

### **Sub-objective 3.2.3: Maximize Potentially Responsible Party Participation at Superfund Sites**

#### Applying Superfund “Enforcement First”

#### **Current State/Major Problems to be Addressed**

Enforcement authorities play a critical role in all agency cleanup programs. However, they have an additional and unique role under the Superfund program: they are used to leverage private-party resources to conduct a majority of cleanup actions and to reimburse the federal government for cleanups financed by the trust fund.

The Superfund program’s “Enforcement First” strategy focuses limited Superfund trust fund resources on sites where viable, potentially responsible parties either do not exist or lack the funds or capabilities to conduct the cleanup. By taking enforcement actions at sites where viable, liable parties do exist, EPA will continue to leverage private-party dollars so that trust fund money is used only when absolutely necessary to clean up hazardous waste sites. This initiative supports the regional priority of encouraging environmentally responsible development because Superfund sites, once cleanup is completed, can be used again for commercial and/or residential development.

Cost recovery is another way private-party resources are leveraged through enforcement. Under Superfund, EPA has the authority to compel private parties to pay back trust fund money EPA spent to conduct cleanup activities. EPA will continue its efforts to address 100 percent of the Superfund sites with unaddressed total past costs equal to or greater than \$200,000 and to report the value of the costs recovered.

#### **Strategy Highlights**

The Region will continue to take the actions necessary to encourage parties responsible for contamination to either do the necessary cleanup or to reimburse EPA for Superfund funded cleanup. The Region plans either to reach a settlement or take an enforcement action before the start of a remedial action at 90 percent of Superfund sites that have viable, liable responsible parties other than the federal government.

**Strategies, Tools and Measures**

<b>Strategies- Superfund Enforcement First</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
Ensure that viable responsible parties either perform or pay for cleanup of contamination at Superfund sites.	<ol style="list-style-type: none"> <li>1) Comprehensive searches for parties responsible for contamination at sites.</li> <li>2) Early identification of and notice to responsible parties, providing them with an opportunity to comment on and perform necessary actions to address threats at sites.</li> <li>3) Fair settlements with responsible parties via consent decrees or consent orders, including, as appropriate, de minimis and orphan share considerations.</li> <li>4) Unilateral enforcement actions when viable responsible parties are unwilling to perform necessary cleanup.</li> <li>5) Cost recovery actions against viable responsible parties to recover EPA expenditure of Superfund money.</li> </ol>	Number and value of Superfund actions performed by responsible parties compared to all Superfund actions.

## **GOAL 4: HEALTHY COMMUNITIES AND ECOSYSTEMS**

### **Objective 4.1: Chemical, Organism, and Pesticide Risks.**

#### **Sub-objective 4.1.1: Reduce Exposure to Toxic Pesticides**

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)-Food Quality Protection Act (FQPA) and Strategic Agriculture Initiative (SAI)

#### **Current State/Major Problems to be Addressed**

There is a trend toward more monitoring of particular crops by growers, resulting in less pesticide use or using pesticides only when the conditions or populations warrant; some growers even contract out for scouting and consulting services. There is also a trend toward using more bio-pesticides as they become available on the market. However, these bio-pesticides are generally not as broad spectrum as conventional pest control methods used in the past.

Major issues facing the FQPA/SAI program include:

1. Lack of specific current information available to analyze problem.
2. Office of Pesticides Programs' negotiation process hinders regions from prioritizing specific pesticides most likely to have use restriction imposed.
3. The regulated community is wary of the impact that FQPA use restrictions may have on their ability to operate profitably.
4. The Region believes that limited grant resources hinder its ability to fund projects that could have major impacts on reducing use of high risk pesticides.
5. Grower reluctance to change to proven alternatives based on their confidence in old chemistry (growers tend to change only if forced to by a loss of previously used materials).
6. Lack of consistent and up-to-date status reports of active ingredients or previously labeled uses under review that could be potentially lost or will be lost to growers.

#### **Strategy Highlights**

This program will primarily rely upon direct implementation, coordination with state lead agencies, cooperative extension services, and outreach/partnering with agricultural commodity groups. In FY 2004 and beyond, Region III will continue the progress made in developing working relationships and partnerships with US Department of Agriculture (USDA) regional pest management centers and cooperative extension services, emphasizing the goal of establishing partnerships with minor crop commodity groups. The program will utilize increasing knowledge of the most vulnerable chemical classes and the needs of agricultural groups to offer quality information and support. In addition, EPA will seek out opportunities to promote integration of non-chemical pest management alternatives into comprehensive Integrated Pest Management (IPM) strategies and integrate innovative and proven alternative pest management technologies into a coordinated education demonstration and technology transfer package. The program's efforts will be targeted towards reducing high risk pesticide use on crops that are consumed by

infants and children and will focus the use of SAI grant funds towards projects that target reductions in high risk pesticide use on crops consumed by infants and children, thereby supporting the regional priority of protecting sensitive populations. The Region will also participate on SAI conference calls, biotechnology conference calls, and attendance at national meetings (e.g., IPM or industry meetings). EPA will also work to develop relationships with various partners in the academic, regulatory, and agricultural communities.

### Strategies, Tools and Measures

Strategies- FIFRA-FQPA/SAI	Tools/Programs	Region-Specific Measures
Develop partnerships and establish working relationships with USDA regional pest management centers and cooperative extension services, emphasizing the goal of establishing partnerships with minor crop commodity groups.	1) Direct implementation. 2) Partnering and coordination.	Number of partnerships developed for the purpose of reducing the number and/or quantity of crops treated with high risk pesticides consumed by infants and children.
Offer quality information and support to agricultural community by utilizing increasing knowledge of the most vulnerable chemical classes and the needs of agricultural groups.	Outreach & partnering with agricultural commodity groups.	Reduction of high risk pesticides used on crops consumed by infants and children.
Promote integration of non-chemical pest management alternatives into comprehensive IPM strategies and integrate innovative and proven alternative pest management technologies into a coordinated education demonstration and technology transfer package.	Outreach & partnering with agricultural commodity groups.	Reduction of high risk pesticides used on crops consumed by infants and children.
Promote reduction of high risk pesticide use on crops consumed by infants and children through targeting of SAI grant funds towards related projects.	Selection of targeted grant proposals.	Number of targeted grants awarded focused on reducing pesticide use on crops consumed by infants and children or development of educational and training information materials. Will task grantee to develop baseline measures and track results against those measures.



Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)-Worker Safety

**Current State/Major Problems to be Addressed**

States within Region III generally agree that some emphasis on worker protection is warranted. Several, though, still participate only to the extent that federal resources support such efforts.

Major issues for the Region's worker safety program includes:

1. Language barriers between farm workers/handlers and regulatory personnel.
2. Lack of trust between farm workers and regulatory personnel.
3. Limited resources to make a meaningful contribution to certification and training course oversight.
4. Improvements needed in incident reporting, conducting Worker Protection Safety (WPS) inspections, and enforcement of WPS standards.
5. Additional resources and training are required for provider oversight at both the federal and state levels.

**Strategy Highlights**

In FY 2004 and beyond, Region III will ensure that the Region and states maintain integrated pesticide worker safety programs consistent with national priorities. The Region's strategies include negotiating clear commitments in annual cooperative agreements based on national guidance (to be done during grant planning meetings), conducting timely mid-year and end-of-year state site visits to monitor and document program accomplishments and provide state inspections oversight, and monitoring and/or participating in at least four training and re-certification programs to document training quality.

### Strategies, Tools and Measures

Strategies- FIFRA- Worker Safety	Tools/Programs	Region-Specific Measures
<p>Maintain integrated pesticide worker safety programs consistent with national priorities.</p>	<ol style="list-style-type: none"> <li>1) Negotiate and oversee annual cooperative agreements based on national guidance.</li> <li>2) Monitor and/or participate in at least four training and re-certification programs to document training quality.</li> <li>3) Participate in the national assessment process by attending meetings and participating in conference calls and other activities as identified by headquarters.</li> <li>4) Along with EPA HQ, facilitate and assist with monthly worker safety conference calls, particularly as OPP transitions to a more cohesive worker safety program format.</li> <li>5) Participate in Certification and Training Assessment Group (CTAG) workgroups, conferences calls, and other activities that may arise out of the CTAG process, as funding allows.</li> <li>6) Prepare states to use a web-based template for electronic submission of annual C&amp;T reports and state plans.</li> </ol>	<ol style="list-style-type: none"> <li>1) Measurement of consistent improvements in the ability of the states to detect and address instances where the WPS is not applied properly.</li> <li>2) Number of training and re-certification programs monitored.</li> </ol>

Strategies- FIFRA- Worker Safety	Tools/Programs	Region-Specific Measures
Maintain integrated pesticide worker safety programs consistent with national priorities.	7) Finalize review and approval of updated Region III state plans. 8) Participate in migrant and seasonal farm worker meetings to provide outreach/updates on WPS and monitor for potential pesticide exposure incidents or developing trends. 9) Work cooperatively with state lead agencies, advocacy, and community groups to address issues or concerns regarding WPS enforcement. 10) Work with key advocacy groups, community groups and health clinics serving the farm worker community to provide: (1) WPS outreach; (2) WPS and agro-medicine materials; and 3) instruction on how to lodge worker pesticide exposure tips/complaints. 11) Provide technical support and materials to WPS trainers. 12) Monitor farm worker training programs, as resources and high priority activities allow. 13) Traditional tools of state capacity building, coordination, oversight, and outreach will be used to ensure that worker protection and certification, and training goals are accomplished.	

#### **Sub-objective 4.1.3: Reduce Chemical and Biological Risks**

##### Toxic Substances Control Act (TSCA)- Asbestos

##### **Current State/Major Problems to be Addressed**

Based on regional observations over the last several years, many schools built after the 1988 deadline are not aware of their compliance obligations under Asbestos Hazard Emergency Response Act (AHERA). Further, many schools operating at that time may have met the initial requirements. However, many seem to have problems keeping information current and up-to-date or ensuring that annual notifications are made. In addition, new charter schools are being established within the Region and many of these schools are unaware of AHERA requirements. Efforts to make schools aware will help to protect children, a sensitive population; the protection of sensitive populations is a regional priority.

Major issues facing the asbestos program include:

- Lack of resources, both contract and Full-Time Equivalents (FTEs). (This issue has already had impacts on outreach efforts and the need to conduct training oversight.)
- Outdated outreach materials.
- Recognition and support of “small programs.”

### Strategy Highlights

In FY 2004 and beyond, the Region will continue its efforts to ensure that local education agencies are aware of their obligations to comply with AHERA. This will be done through the use of targeted outreach, mailings, attendance at trade shows, and coordination with state environmental and education agencies. The program will also work closely with the states to monitor the quality of the asbestos training offered in compliance with the model accreditation plan (MAP).

AHERA requirements have not been delegated to the states, therefore much of EPA’s work will be done through direct implementation. However, many state agencies have a significant interest in ensuring that asbestos is managed properly in schools. Because of this, the program will work closely with the state environmental and educational agencies to ensure that lead educational agencies are informed adequately of their compliance obligations. The AHERA and MAP program strategies are expected to reduce the risk of asbestos exposure to students and workers in schools and government buildings.

### Strategies, Tools and Measures

Strategies- TSCA- Asbestos	Tools/Programs	Region-Specific Measures
Promote LEA knowledge of and compliance with AHERA requirements.	1) Provide targeted outreach and mailings. 2) Attend trade shows. 3) Coordinate closely with state environmental and education agencies (including monitoring quality of asbestos training offered.) 4) Direct implementation.	1) Risk reduction for asbestos exposure to students and workers in schools and government buildings. 2) Customer contacts through attendance at outreach events, phone contacts, direct mailings, and speaking engagements. 3) Compliance rates.

### Emergency Planning and Community Right to Know Act (EPCRA) - 313

#### **Current State/Major Problems to be Addressed**

The Toxics Release Inventory (TRI) data release lists facilities that release high levels of certain pollutants. An indicator of the current state for this program is the pounds of toxic chemicals released into the environment, as reported in the TRI database. According to current TRI data, facilities in Region III cut toxic chemical releases to the environment by more than 50

percent since 1998 based on the original list of chemicals and industries. The addition of seven new industry sectors in 1998 resulted in a 47 percent increase of the annual totals from 243 million pounds in 1997 to 472 million pounds in 1999. In 2000, those totals dropped to 465 million pounds. New lower thresholds that took effect for reporting purposes in 1999 triggered a dramatic increase in the number of reporting facilities for persistent bio-accumulative toxic (PBT) chemicals reportable for 1999.

### Strategy Highlights

To ensure that owners and operators of facilities subject to the requirements of EPCRA Section 313 are informed about the reporting requirement, the Region will focus its efforts on sponsoring in-house TRI workshops and various other workshops in the Mid-Atlantic Region. In addition, the Region will respond to public inquiries both orally and in writing, will review and provide an analysis of TRI data submitted, and will prepare a press release of TRI releases to the public.

### Strategies, Tools and Measures

Strategies- EPCRA-313	Tools/Programs	Region-Specific Measures
Promote compliance with the TRI reporting requirements.	1) Direct delivery/implementation. 2) Outreach to the regulated community. 3) Review of submitted annual TRI reports.	1) Reported amounts of toxic chemicals released, with special focus on lead and PBT releases. 2) Outreach activities conducted. 3) Attendees at TRI workshops. 4) Number of facilities reporting TRI releases.
Promote public awareness of TRI data on environmental releases of toxic substances.	Press releases.	1) Press releases issued. 2) Public inquiries received after TRI data release.

### Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)-Water Quality

#### Current State/Major Problems to be Addressed

Several Region III departments of agriculture have developed generic pesticide management plans and have been assessing ground water for pesticides. Analysis of data is still pending. Region III state agricultural agencies have been reluctant to participate in an organized and accountable fashion on water quality activities without the final PMP rule being in place. Adequate resources are in place to address pesticide related water quality issues with agricultural agencies in the Region.

### Strategy Highlights

Consistent with the National Pesticides In Ground Water Program, the Region III strategy will focus primarily on agricultural pesticides and their impact on water quality. Region III's strategies for FY 2004 and beyond include identifying the top priority water quality issues within each state and developing approaches for addressing identified issues, utilizing the regional Memorandum of Agreement (MOA) with the Water Protection Division to coordinate pesticide related water quality issues, and assisting states in developing pesticide management plans (PMPs) where and when appropriate.

Success in the water quality area will depend heavily on cooperation by the state lead agencies. Actions will be undertaken to improve the working relationships between the Region and the states. Outputs include high priority water quality issues identified and action plans developed to address high priority issues.

### Strategies, Tools and Measures

Strategies- FIFRA- Water Quality	Tools/Programs	Region-Specific Measures
Promote protection of ground water from use of agricultural pesticides.	1) Provide state program and grant support and oversight to strengthen cooperative working relationships between the Region and states. 2) Assist states in developing pesticide management plans (PMPs) where and when appropriate.	1) Identification of high priority water quality issues (using regional MOAs). 2) Development of action plans addressing high priority water quality issues. 3) Implementation of action plans. 4) Measurable pesticide concentration reductions in surface and/or ground water. 5) PMPs developed.

### Toxic Substances Control Act (TSCA)- Lead

#### **Current State/Major Problems to be Addressed**

The national health and nutrition examination surveys (NHANES) lead report tracks blood-lead levels in the United States. Nationally, lead, one of the worst environmental hazards, continues to plague children, a sensitive population whose protection is a regional priority, despite drops in Blood-Lead Levels (BLL). Exposures occur from ingesting dust and soil contaminated mainly by deteriorated lead paint and old emissions from leaded gas. NHANES has documented a substantial decrease in BLLs among young children. The NHANES II report covering the years 1976-1980 reported a geometric mean BLL of 15 ug/dl among children 1-5 years of age. The most current data shows that geometric mean BLLs continue to decrease in young children. Other indicators include the number of state programs authorized, the number of individuals and firms becoming certified, and the amount of outreach conducted to reach the regulated community.

Major problems include competing priorities and late receipt of 404(g) grant funding by the Regions, which continue to pose significant problems in meeting timeliness deadlines in awarding grant funds to the states. For example, FY 2002 funds were received in August for a September 30 award. Late issuance of awards is problematic for some states because they rely on federal funding to run their programs.

### Strategy Highlights

Region III will work with local health departments, states, and communities to ensure successful implementation of the lead program. To accomplish this, the Region will rely heavily on providing compliance assistance and outreach to the general public and the regulated community. Additionally, the Region will respond to telephone and written inquiries, build state partnerships, network with groups of similar interest, and participate in trade shows.

Region III will focus efforts toward approving state lead programs in Delaware, Maryland, Pennsylvania, West Virginia, and the District of Columbia and to promote state authorization for Section 406. Currently, Region III states are self-certified and are running their own lead programs. Region III will continue to support the state lead programs by issuing grants to those agencies responsible for certification of individuals and firms performing lead-based paint activities, accreditation and auditing of training providers, and enforcing state lead laws.

### Strategies, Tools and Measures

Strategies- TSCA- Lead	Tools/Programs	Region-Specific Measures
Promote reduction of environmental and health related risks from lead.	1) State program capacity building, grant program oversight, and fostering cooperative relationships. 2) Compliance assistance. 3) Public outreach and outreach to regulated community (e.g., participate in trade shows and respond to telephone/written inquiries.) 4) Coordinators and project officers will continue to hone their programmatic skills by attending and/or participating in lead inspector and risk assessor initial or refresher courses, national meetings, interpretive workgroups and task forces, working with the regulated community, and training junior staff.	1) Persons certified to perform lead-based paint activities. 2) Training providers accredited. 3) Individuals reached through general and lead-specific education and outreach activities.
Approve state lead programs (Sections 402 and 403).	State program capacity building, grant program oversight, and fostering cooperative relationships.	State lead programs approved.
Promote state authorization of Section 406 programs.	State program capacity building, grant program oversight, and fostering cooperative relationships.	State Section 406 programs authorized.

Toxic Substances Control Act (TSCA)- Polychlorinated Biphenyls ( PCBs)**Current State/Major Problems to be Addressed**

The PCB transformer database provides a list of facilities that are reporting their PCB transformers, an indicator of activity. Other indicators include the number of PCB transformers and capacitors disposed of properly and acres of PCB contaminated property remediated. This remediation enables the reuse of land, thereby supporting the regional priority of encouraging environmentally responsible development. Existing data show a decline of PCB transformers and capacitors registered since 1998 (1998 - 123 registered units; 1999 - 21 registered units; 2000 - 3 registered units; and 2003 - 1 registered unit). Current data for disposal of PCB transformers shows: 1999 (322), 2000 (223), 2001 (no data), and 2002 (302). PCB disposal data shows generally a declining trend since 1999: 1999 (175,838 kg), 2000 (73,477 kg), and 2002 (77,557 kg). Additionally, there are five PCB storage facilities and one PCB disposal facility operating in Region III. Competing priorities and limited resources are issues that are impacting the Region's ability to adequately implement its PCB program.

**Strategy Highlights**

Region III will promote reduction of environmental and human health risk from exposure to PCBs by ensuring compliance with the PCB regulations. The Region will provide technical assistance to the regulated community on interpretation of the PCB regulations, will review self-implementing clean-up plans, and will issue permit approvals. The Region will also continue to respond to telephone inquiries and written correspondence.

**Strategies, Tools and Measures**

Strategies- TSCA PCBs	Tools/Programs	Region-Specific Measures
Promote reduction of environmental and health related risks from PCBs.	1) Direct program implementation. 2) Compliance assistance (e.g., interpretation of PCB regulations). 3) Public outreach (e.g., response to telephone inquiries).	1) PCB transformers and capacitors disposed of at permitted facilities. 2) Bulk PCB waste disposed of in permitted disposal facilities. 3) Compliance assistance provided.



Strategies- TSCA PCBs	Tools/Programs	Region-Specific Measures
Ensure proper disposal of PCBs.	1) Direct program implementation. 2) Permit approval. 3) Compliance assistance.	1) PCB transformers and capacitors disposed of at permitted facilities. 2) Bulk PCB waste disposed of in permitted disposal facilities. 3) Risk-based 761.61(c) PCB disposal approvals issued. 4) PCB disposal approvals issued under 761.70, 761.75, and 761.60(e). 5) PCB commercial storage approvals issued.
Promote safe clean-up of PCB contamination.	1) Direct program implementation. 2) Review of self-implementing clean-up plans. 3) Compliance assistance.	1) Acres of property to be remediated under 761.61(c) approvals. 2) 761.61(a) self-implementing clean-ups reviewed. 3) Acres of property to be remediated under 761.61(a) reviewed approvals.

#### **Sub-objective 4.1.4: Reduce Risks at Facilities**

#### Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)/Superfund

#### **Current State/Major Problems to be Addressed**

The main components of the Chemical Emergency Preparedness and Prevention (CEPP) program are the emergency planning and community right-to-know sections of the CERCLA. These elements have in recent years been integrated with the Risk Management Plan (RMP) program created by Section 112 of the Clean Air Act (CAA). The CEPP program requires states and local governments to develop chemical emergency response plans and has identified certain facilities which, because of the volume of toxic chemicals they store/use, are required to have prepared an RMP. Region III utilizes program staff and senior environmental employees with chemical industry experience to review RMPs and to perform accident reviews after a significant accidental release.

The Region supports the national goals and objectives and addresses them through heightened sensitivity to security issues in managing program data, dealing with the regulated community, responding to information inquiries, conducting inspections, and working with state and local planning agencies. Focus is placed on risk management through program and data management to promote operational risk management by the regulated community.

### Strategy Highlights

The Region will continue to promote and maintain partnerships with industry and local and state agencies to ensure well-trained emergency response personnel and good prevention efforts. Region III's efforts to manage risk will result in improved security of sensitive data relating to its programs, provide adequate ability for the division to continue to operate should an emergency security situation occur, and provide support to state program offices in their efforts to address security concerns. For example, the Region maintains many files concerning various toxic chemicals that contain sensitive and confidential information. The Region aggressively complies with all confidential business information (CBI) security restrictions for the TSCA, Resource Conservation and Recovery Act (RCRA), and FIFRA programs. The Region also carefully scrutinizes all Freedom of Information Act (FOIA) requests to ensure that sensitive information is not inappropriately released to the public. All staff have been alerted to security issues, allowing them to incorporate that sensitivity into their daily routines. For example, RCRA enforcement staff also distribute site security information during site inspections to help promote security awareness in the regulated community. In addition, the Region will implement two new initiatives to maximize risk reduction: (1) an RMP non-filer enforcement strategy, and (2) an outreach program to water and wastewater treatment facilities regarding chlorine handling.

EPA sponsored CEPP conferences have proven to be a good forum for bringing states, local governments and industry together to share information and build the necessary relationships to ensure an effective prevention and response program. The Region plans to continue to sponsor them on a biannual basis. The Region will also be sponsoring smaller local conferences.

Facility security and safeguarding sensitive facility information are important components of risk management. The Region will continue to review requests for information and information made available to the public to ensure sensitive information is not released. We will continue to work with state and local agencies with access to this information to ensure that it is safeguarded.

### Strategies, Tools and Measures

Strategies- Risk Management	Tools/Programs	Region-Specific Measures
Support regulated community with expedited follow-up inspections to accidental releases.	1) EPA inspectors. 2) Hot line for reporting accidental releases.	Number of accident reviews performed.

<b>Strategies- Risk Management</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
Provide technical comments to industry's efforts to manage risks at chemical producing facilities.	1) Risk Management Plan program.	1) RMP program described process on the web site. 2) Number of RMPs reviewed.
Provide a forum for national and local responders and manufacturers to discuss chemical safety and risk management.	1) Obtain resources and cooperation from EPA HQ, state and local responders and private sector personnel support an annual conference. 2) Expand on-going web outreach, such as periodic web conferencing.	1) Annual or bi-annual national CEPP conference held. 2) Number of local conferences/meetings held.
Streamline internal cross-program functions to achieve a unified approach to chemical safety and audit.	1) Air program resources and authorities. 2) Superfund Emergency Response resources and authorities. 3) Title III (EPCRA & RMP) program resources and authorities.	Number of joint inspections conducted.
Maximize chemical safety and protection for regional drinking water facilities.	GIS mapping and Water Program data to target potential facilities vulnerable to terrorist action.	Information provided to the Water Program for vulnerability assessments.  Information shared with local responders.
Ensure security of sensitive data for RCRA, TSCA, EPCRA-313, and FIFRA programs.	1) Ensure compliance with program CBI requirements. 2) Increase scrutiny of FOIA requests.	No measures set at this time.
Provide adequate ability to continue to operate should an emergency security situation occur, including making regional staff aware of security issues.	Develop and maintain Continuity of operations (COOP) plan.	Plan maintenance and updates.
Provide support to state program offices in their efforts to address security concerns.	1) Provide state program oversight and support. 2) Provide security pamphlets and brochures to state program offices.	Security materials distributed.
Promote security awareness with regulated communities.	Provide security pamphlets and brochures to regulated communities.	Security materials distributed.

## **Objective 4.2: Communities**

### **Sub-objective 4.2.1: Sustain Community Health**

#### Smart Growth

#### **Current State/Major Problems to be Addressed**

As a direct result of population growth and poor planning, harmful sprawl and development have degraded air quality, due to congestion from auto-dependence, lack of trees, heat islands and ozone. There have been negative impacts on water quality due to circumstances such as combined sewer systems that collect both storm water runoff and sanitary sewage in the same pipes and wetland losses. There has been an increase in environmental pollutant-related illnesses, (e.g., asthma, cancer, infertility, obesity and other human diseases) linked to sprawl. A major issue and critical component of the Region's smart growth initiative is the dependence on the engagement of our federal partners in promised activities, which is largely out of EPA's control.

#### **Strategy Highlights**

Regional strategies include the Mid-Atlantic Federal Partnership for the Environment (MAFPE) on smart growth's work on four partnerships with local governments to assist in combating harmful urban sprawl and the development of Region III's tool kit for local planners and developers to assist in environmentally sound development. Also, the Region will be working as a liaison to provide smart growth grants and software to local governments and universities. The Region has partnered with 17 federal agencies, two cities, and state agencies to develop inner city smart growth pilots to address redevelopment in blighted urban areas. Additionally, the program is working with the City of Philadelphia to remove impermeable surfaces around the schools and develop green spaces by incorporating low impact development, environmental education centers, and watershed management zones. All of these efforts combine to support the regional priority of encouraging environmentally responsible development.

<b>Strategies- Smart Growth</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
Work with MAFPE to promote Smart Growth initiatives in Region III.	Partnership Agreements (e.g., federal, states, and cities). Provide tool kits for planners.	By 2004, double the number of signed agreements with MAFPE partners and interested communities.
Work with cities, local governments, universities to address redevelopment in urban areas (e.g. smart growth grants and software).	Provide grants. Provide tool kits for planners.	Identify measurable results from specific projects with Philadelphia and Baltimore (e.g., acres of blacktop removed; number of schools incorporating green building practices; acres of green space created).

### **Sub-objective 4.2.2: Restore Community Health**

#### Environmental Justice

##### **Current State/Major Problems to be Addressed**

The Environmental Justice (EJ) program implements a strategy by which concerns of disadvantaged or sensitive populations are considered in EPA actions. This strategy coincides with the regional priority of protecting sensitive populations. Those concerns are discussed at the annual All States Environmental Justice Meetings, attended by representatives of all of the states in Region III. Each year one of the states in the Region sponsors the meeting, and works along with the Region and the others states to set the meeting agenda. These meetings are defined during monthly EJ topic conference calls with Region III states. These calls allow the Region and states to discuss matters of EJ concern, serve as a mechanism for the presentation of new and useful information, and provide a sounding board for new ideas. The Region continues to work with all of the stakeholders in the region in order to improve relationships, to provide consultation and insight, to develop plans and agreements to address issues and concerns with respect to disproportionately impacted populations, and to develop compliance and enforcement initiatives with state and local governments.

The Region held a cumulative risk conference in the spring of 2003. This topic was requested by the states in the Region for information and insight into the use of cumulative risk as an added tool in the assessment, characterization, and protection of communities. This was the first in a series of topic conferences designed to inform Region III states on the current status of emerging thoughts on the various aspects of cumulative risk. These topic conferences provide a global view and a wide range of perspectives for interested stakeholders with information on the state of cumulative risk assessment; what is currently being done; current and future trends in research and assessment; new tools; and applications of cumulative risk in evaluative, intervention, and regulatory frameworks. The initial conference will be followed up with sessions on more specific topics within the field.

##### **Strategy Highlights**

The Region has state-specific meetings to help states develop programs within their agencies to deal with the EJ issue. For example, West Virginia and Maryland have requested support for their EJ community involvement programs. They requested training in developing and implementing community relations plans. The training and orientation is ongoing, and based on the Region's community involvement handbook.

The Region's compliance assistance and EJ coordinators developed integrated strategies and outreach projects in partnership with Maryland and Washington, DC. Both of these projects concentrate on reducing the amount of pollutants in EJ areas such as Park Heights, in Baltimore, Maryland, and Ward 5 in the District of Columbia. In addition, the Region has worked with community groups in both of these areas to identify other problems. The community groups will continue to provide assistance, including outreach, to these projects.

The EJ small grant program receives approximately \$60,000 a year. Between 12 and 40 grant applications are received each year, and the Region has been able to award approximately five grants per year. The Region will provide outreach and disseminate information related to this grant program, and an increase in the number of grant proposals submitted would provide an indication of the success of EPA outreach and public awareness of EJ ideas.

### Strategies, Tools and Measures

Strategies- Environmental Justice	Tools/Programs	Region- Specific Measures
Help Region III states identify programs and to address EJ issues and community involvement programs (e.g., state-specific meetings).	Utilize its community involvement handbook and provide training to help identify and address EJ issues.	Number of state requests for support for their EJ community involvement programs.
In conjunction with the states, the Region will work to assure compliance from facilities in disadvantaged areas.	Integrated strategies, including compliance assistance, compliance incentives and enforcement will be employed with state/local assistance.	Number of integrated enforcement strategies implemented.
The Region will increase public awareness of EJ issues.	The Region will provide outreach and disseminate information related to the EJ small grant program.	Number of EJ grant proposals submitted; and number of EJ grants awarded.

### Children's Health Program

#### **Current State/Major Problems to be Addressed**

The children's health program has developed a regional strategy that focuses on sensitive populations; this focus on protecting sensitive populations is a regional priority. The goals are to provide environmental health awareness and outreach to the general public (sensitive populations), targeting under-served and minority communities; reduce the threat of environmental hazards in and around schools and day care facilities; establish partnerships with state, local and other federal agencies and groups who have an interest in children's environmental health; and ensure that the Region is considering children's health in all program missions.

#### **Strategy Highlights**

The children's health program will provide education and outreach to minority communities through periodicals, faith based organizations, health fairs, etc. In the migrant community, the program is partnering with the Region's Pediatric Environmental Health Speciality Unit, Association of Occupational and Environmental Clinics (AOEC), Agency for Toxic Substances and Disease Registry (ATSDR) and the states to provide community intervention in a pilot community. In-home assessments will be conducted, and immediate

assistance will be provided on any potential issues. Health care personnel in the community will be trained. In addition, work will be done with the Head Start Program in the area so that migrant farm worker families can be reached, as well as those migrants who may have mainstreamed into the local community. A follow-up assessment will be conducted to determine the behavioral and physical changes made as a result of the assessment. Additionally, a needs assessment of the staff of the Migrant Clinician's Network (MCN) was conducted, which showed a need for environmental training. Training will therefore be designed and provided within a selected community. A similar idea will be followed in the elderly community by reaching out to senior communities to provide education and outreach through in-home assessments and presentations on various environmental health issues.

### Strategies, Tools and Measures

Strategies- Children's Health Program	Tools/Programs	Region-Specific Measures
Educate minority communities.	Develop outreach materials, such as periodicals, and work with faith based organizations, health fairs, etc.	Reduce the number of individuals (families, children, and/or seniors) in minority or elderly communities who are exposed to environmental hazards.
Improve children's health.	Partner with the Region's Pediatric Environmental Health Speciality Unit, Association of Occupational and Environmental Clinics (AOEC), Agency for Toxic Substances and Disease Registry (ATSDR) and the States to provide community involvement.	Number of individuals who have made behavioral or physical changes to effect their immediate environment based on concentrated outreach efforts.

### Asthma

#### **Current State/Major Problems to be Addressed**

For the past 15 years, an epidemic of asthma has occurred in the United States. By all indications, the epidemic is continuing. The number of people with asthma jumped by 75 percent between 1980 and 1994. Although asthma has become a major public health problem affecting Americans of all ages, races and ethnic groups, children have been affected severely especially in larger, older cities. In children under the age of four, asthma increased 160 percent. Nationally, nearly one in 13 school-aged children has asthma and the percent is rising rapidly. In 1995 asthma caused 1.8 million emergency room visits and 10 million missed school days.

Today, the number of missed school days has increased to 14 million per year with an estimated cost to society of \$11 billion. Minority populations are experiencing disproportionately higher rates in all areas associated with the disease. Some reports indicate that if asthma prevalence continues to rise at the current rate, by 2020 almost 30 million Americans

will have asthma. Further research indicates that people spend approximately 90 percent of their time indoors. Thus, many people face greater health risks from indoor pollution than they do from outdoor air pollution. People who may be exposed to indoor air pollutants for the longest periods of time are often those suffering the most from respiratory diseases such as asthma. Although asthma is the most prevalent chronic illness and an increasing health threat to children, asthma episodes are highly preventable through education and increased awareness. Prevention efforts support the regional priority of protecting sensitive populations.

Data issues must be addressed. National data is readily available, however local, state and regional level asthma data are very difficult to obtain, particularly in areas of medical coverage and insurance use, hospital-use rates, asthma drug use within different socioeconomic brackets, and school/work absenteeism. In cases where data does exist, quality is questionable. There is a strong need within the asthma community for high quality data that can be compared among multiple sources. Availability of data will also better assist in the identification of areas to target for program implementation.

### **Strategy Highlights**

In recognition of the growing body of scientific information demonstrating that America's children suffer disproportionately from environmental health and safety risks, federal agencies formed an interagency task force on Environmental Health and Safety Risks to Children chaired by the Secretary of the U.S. Department of Health and Human Services (DHHS) and the EPA Administrator. In 1998, this task force identified childhood asthma as a priority area in need of immediate attention, including identification, assessment, and prevention of asthma triggers, and encouraged the formation of collaborations to address them.

Region III and DHHS chose to tackle the asthma epidemic aggressively because the Region is home to a high concentration of urban areas. The Region and DHHS's collaborative efforts are supporting a regional strategy to reach the national goals. This effort is known as the Mid-Atlantic Regional Asthma Initiative (MARAI) and its partnerships include federal agencies and a vast array of asthma stakeholders from within Region III.

As part of this collaborative effort, MARAI has enhanced existing asthma programs, launching numerous initiatives and developing programs to address indoor, as well as outdoor environmental triggers and the management of asthma. These initiatives include special events, media outreach, public education, grants, and communications to help people understand that asthma is manageable and episodes are preventable.



**Strategies, Tools and Measures**

<b>Strategies- Asthma</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
Implement asthma program in the Region.	Launch numerous initiatives, such as media outreach, public education, grants, and communications.	Number of asthmatics and their families who receive in-home/one-on-one asthma education.
	Mid-Atlantic Regional Asthma Initiative partnerships.	1) Number of children who receive asthma education in a school setting using the American Lung Association's Open Airways for Schools educational tool. 2) Number of child care providers who receive asthma training.

**Sub-objective 4.2.3: Restore Community Health**Brownfields**Current State/Major Problems to be Addressed**

Brownfields are defined as real properties where expansion, redevelopment, or reuse may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. The Small Business Liability Relief and Brownfields Revitalization Act signed into law in 2002 expands Federal grants for assessment, cleanup and job training. In addition, the law provides for establishing and enhancing state response programs which play a critical role in successfully cleaning up and revitalizing brownfields. In addition, the Brownfields program carries out a program of targeted Brownfields assessments (TBAs). The TBAs assess sites of suspected contamination, with the goal of promoting reuse to help foster economic development and secure better environmental results for communities. Since 2000, in partnership with the states, Region III has completed more than 100 TBAs. The Brownfields program also continues to fund Brownfields pilots at the community level, provides cleanup dollars to local governments through a Brownfields revolving loan fund, and supplies funds for Brownfields job training grants. Partnerships with the states and local communities and the commercial sector are key to successful land reuse efforts. Indicators for this program include an increase in jobs at the local level, and customer satisfaction from communities, local grantees and the private sector as reported through on-line customer satisfaction surveys. The major concern for clean-up and reuse of contaminated land is stable funding for grants to states and local development authorities. The Brownfields program also has had an impact on communities through its pilots, TBAs and revolving loan fund. The challenge here is to continue to find able partners at the local level to apply for and use available funds to return urban land to productive use.

### Strategy Highlights

Region III's strategy to cleanup and reuse contaminated land involves increasing community outreach to attract proposals from prospective grantees. Region III will continue to merge the common elements of Superfund and RCRA to create a one clean-up program. In addition, the Region through its recently formed cross-program Land Reuse Team is identifying approaches to encourage the reuse of former Superfund and Brownfields sites.

As part of direct implementation, the Region will continue to participate in local, regional, and national conferences and outreach activities. For state capacity building, the Region will provide funds to states via Brownfields core grants and will certify the adequacy of state programs by entering into memoranda of agreement with the states.

The expected outcome of this strategy is increased land revitalization, which is an outcome that supports the regional priority of encouraging environmentally responsible development. In cases where Brownfields pilots and tools have been used, indicators of development should be apparent. Other federal and state agencies (Department of Labor, Department of Housing and Urban Development, Department of Commerce, Economic Development Administration, and local chambers of commerce) should have useful data to measure progress towards this goal. Region III will continue to participate in yearly Brownfields national conferences and use its internet resources to reach the greatest number of potential participants for Brownfields funds and partnership agreements.

Strategies-Brownfields	Tools/Programs	Region-Specific Measures
Increase participation in Brownfields pilots.	1) Annual Brownfields national conference which informs and attracts Brownfields development interests. 2) Regional and county level forums where the program has awarded few or no grants to local developers.	At least one national conference per year and consider small round table forums at the state and local levels.
Award Brownfields grants and pilots.	1) Assess and award grants based on the suitability of applications.	Number of awards for targeted Brownfields Assessment pilots and revolving loan fund applications.
Expand Brownfields information network.	1) The Brownfields Yellow Pages which is a list of participants and active supporters of land reuse and development. 2) EPA national and regional home pages for Brownfields containing information for program participants.	1) The Yellow Pages are updated regularly. 2) Internet information for Brownfields is current and includes upcoming conferences with dates and activities.

Strategies-Brownfields	Tools/Programs	Region-Specific Measures
Identify superfund sites with high potential for development.	1) Cost recovery program information. 2) Land Re-use Team 3) Superfund potentially responsible party search information.	Number of superfund sites which are redeveloped

### **Objective 4.3: Ecosystems**

#### **Sub-objective 4.3.1: Protect and Restore Ecosystems**

##### National Estuaries Program (NEP)

##### **Current State/Major Problems to be Addressed**

The three NEPs in Region III (Delaware Inland Bays, Maryland Coastal Bays, Delaware Estuary Program) share a number of ecosystem-related stressors including loss of estuarine, riparian and upland watershed habitats (forests, wetlands, submerged aquatic vegetation, oyster reefs, fish spawning and nursery areas), increased sedimentation, eutrophication, chemical contamination, over fishing, invasive species, and conflicting water uses. In order to address these and other problems, each NEP has produced and begun implementing a comprehensive conservation management plan (CCMP) tailored to the specific geopolitical, ecosystem and geomorphologic variables in their respective watersheds. Each NEP's CCMP implementation is carried out by a management conference comprising numerous Federal, state and local agencies, nonprofit organizations, universities, and local citizens. NEP administration varies, from an interstate basin commission to nonprofit organizations.

There are efforts by all three programs underway to establish quantitative environmental goals and environmental indicators. Among the difficulties facing the estuary programs are funding and staffing considerations within EPA as well as in the partnering agencies and organizations. Additionally, there are inter- and intra-regional coordination and cooperation issues on CCMP implementation which cut across responsibility areas of all divisions (and in the case of the Delaware Estuary Program another Region). Each NEP receives approximately \$310,000 of base funds from EPA in the form of grants per year (an additional \$200,000 in Congressional earmarks has been provided per NEP in FY 2003). In addition, the states contribute significantly to the estuaries program through matching funds and project efforts. Funding and resource leveraging within EPA and from partnering agencies and organizations in the management conference is critical to the successful implementation of the CCMPs.

##### **Strategy Highlights**

Since the NEPs are consensus driven, non-regulatory watershed-based programs, they are able to use all appropriate tools at the agency's disposal to implement the CCMPs. This means that each program uses a mix of voluntary and regulatory-based tools to ensure that the NEP meets the goals set forth in the CCMP. For example the implementation of nutrient Total Maximum Daily Loads (TMDLs) in a NEPs watershed may include explicit wasteload

allocations in National Pollutant Discharge Elimination System (NPDES) permits, adoption of agricultural nutrient management plans, and innovative tools such as watershed-wide trading programs.

### Strategies, Tools and Measures

Strategies- NEP	Tools/Programs	Region-Specific Measures
Continue progress on completion of NEP priority action plans in CCMPs, excluding those action items of an ongoing nature.	Use a mix of voluntary, financial, and regulatory tools.	Complete 40 percent of NEP priority action plans by 2008, with a clear definition of how ongoing or completed actions factor into the calculation.
Update and revise CCMPs.		By 2008, Region III NEPs' CCMPs will be reevaluated and if necessary revised.
All NEPs facing problems with nutrient overenrichment will assist in the development and implementation of nutrient management strategies for their estuaries.		By 2008, affected NEPs will assist the appropriate management conference agency/organization in development and implementation of nutrient management strategies.
NEPs to increase the ratio of leveraged to federal funds.		Region III NEPs to achieve an aggregate average ratio of leveraged to federal funds of at least 8:1 by 2008.
Environmental indicators and measurable environmental goals will be fully developed.		By 2008, all Region III NEPs will have in place estuary-specific environmental indicators and measurable environmental goals upon which to evaluate program progress
In partnership with the NEPs management conference, continue to protect and restore estuarine and watershed habitat.		By 2008 an additional 40,000 acres of estuarine and watershed habitat will be restored and/or preserved in all NEPs in Region III (measured against the FY04 baseline).
NEPs to revise monitoring plans to support CCMP management actions, environmental indicators and measurable goals.		By 2008, 100 percent of NEPs will revise their monitoring plans to support their CCMP management actions, environmental indicators and measurable goals.

### Sub-objective 4.3.2: Increase Wetlands

#### Wetlands

#### **Current Status/Major Problems to be Addressed**

The National Wetland Inventory activities of the U.S. Fish and Wildlife Service indicate historic downward trend in wetland acreage over time. Wetland assessment projects are being conducted in several watersheds using Office of Research and Development funding to develop rapid bioassessment procedures for use in 305(b)/303(d) listing protocols. Major issues include limited availability of grants and interagency agreements to increase acres of restored wetland functions, the number of stream miles restored, and prevention of unauthorized activities resulting in wetland and stream losses.

#### **Strategy Highlights**

The major regional strategy is to increase the net gain of wetlands in the Region.

#### **Strategies, Tools and Measures**

Strategies- Wetlands	Tools/Programs	Region-Specific Measures
Increase the net gain of wetlands in Region III.	State capacity building. Interagency agreements. Permit reviews, enforcement, compliance assistance efforts.	1) By 2008, the CWA Section 404 wetlands permit program, jointly administered by U.S. Army Corps of Engineers and EPA, will achieve "no overall net loss" of wetlands in the permit program. 2) By 2008, Region III states will achieve overall net gains of wetlands by building capacities in wetland monitoring, regulation, restoration, water quality standards, mitigation compliance, and partnership building. 3) By 2008, EPA will provide and/or contribute significant financial and technical assistance for 840 watershed-based wetlands and stream corridor restoration projects (cumulative projects). 4) By 2008, in support of restoring and managing wetlands and stream corridors, 250 major projects will be completed in states and tribes to improve the effectiveness of compensatory mitigation (cumulative).

Strategies- Wetlands	Tools/Programs	Region-Specific Measures
Increase the net gain of wetlands in Region III.	State capacity building. Interagency agreements. Permit reviews, enforcement, compliance assistance efforts.	5) By 2008, 150 major projects will be completed in states and tribes that improve abilities to report wetland and/or stream condition and extent (cumulative) greatly.

#### **Sub-objective 4.3.4: Improve the Aquatic Health of the Chesapeake Bay**

##### Chesapeake Bay

##### **Current Status/Major Problems to be Addressed**

The Chesapeake Bay's environmental health is crucial for both the short and long term to support activities vital to the economies of the Mid-Atlantic states that border this national ecological treasure (e.g., fishing, shellfish, and recreation). Region III considers its environmental stewardship of the Chesapeake Bay to be a unique privilege and the preservation of the Bay for future generations of all species it supports will always be a priority.

One of the key measures of success in achieving improved Chesapeake Bay water quality will be the restoration of submerged aquatic vegetation (SAV). SAV is one of the most important biological communities in the Bay, producing oxygen, nourishing a variety of animals, providing shelter and nursery areas for fish and shellfish, reducing wave action and shoreline erosion, absorbing nutrients such as phosphorus and nitrogen, and trapping sediments. While recent improvements in water quality have contributed to a resurgence in SAV (from a low of 38,000 acres in 1984 to more than 89,000 acres today), more improvements are needed. The specific indicator that characterizes the status and relevant trends of SAV over time can be viewed at: [www.chesapeakebay.net/status.cfm?sid=88](http://www.chesapeakebay.net/status.cfm?sid=88). The data used to develop the SAV indicator are available at: [www.chesapeakebay.net/pubs/statustrends/88-data-2002.xls](http://www.chesapeakebay.net/pubs/statustrends/88-data-2002.xls).

Challenges that face the program include:

- Heavy workload setting new water quality standards and developing new tributary strategies.
- Continued support for grantees responsible for supporting the Chesapeake Bay Program partnership infrastructure.
- Continued support for state Chesapeake Bay implementation grants.
- Continued support for Chesapeake Bay small watershed grants.
- Continued support for state revolving loan fund grants to maintain and upgrade storm water and wastewater infrastructure; the need for EPA to assess the State Revolving Fund (SFR) program in light of the priority nutrient removal/wastewater treatment and nonpoint source needs based on the new tributary strategies.
- Continued support for CWA 319 grants.

### Strategy Highlights

The Chesapeake Bay Program (CBP) is a unique regional partnership formed to direct and conduct restoration of the Chesapeake Bay. Bay program partners include: Maryland, Virginia, Pennsylvania, the District of Columbia, the Chesapeake Bay Commission (a tri-state legislative body), EPA, which represents the federal government, and participating citizen advisory groups. On June 28, 2000, the partners signed a comprehensive and far-reaching agreement that will guide their restoration and protection efforts through 2010. That agreement, "Chesapeake 2000," focuses on improving water quality as the most critical element in the overall protection and restoration of the Bay and its tributaries. Also in December 2003, directives and strategies were signed and adopted by the Executive Council related to the targets for SAV acreage, riparian forest buffer mileage, and nutrient and sediment load reductions.

To achieve improved water quality and restore SAV, CBP partners have committed to reducing nutrient and sediment pollution loads sufficiently to remove the Bay and the tidal portions of its tributaries from the list of impaired waters. Region III has committed to the following strategic targets within the EPA strategic plan to support the Chesapeake Bay sub-objective. Region III continues to assess and analyze approaches for reducing atmospheric deposition to the Chesapeake Bay. This work will be integrated into ozone, particulate, and air toxics assessments and strategies as part of the "one atmosphere" approach to reducing air pollution in Region III.

### Strategies, Tools and Measures

Strategies- Chesapeake Bay	Tools/Programs	Region-Specific Measures
By 2008, prevent water pollution and protect aquatic systems so that overall aquatic system health of the Chesapeake Bay is improved enough so that there are 120,000 acres of SAV. The 2002 baseline is 85,252 acres.	EPA will work with the Bay Program partners to implement a SAV strategy and water quality criteria for protecting SAV.	Acres of SAV present in Chesapeake Bay <a href="http://www.chesapeakebay.net/status.cfm?id=88">www.chesapeakebay.net/status.cfm?id=88</a> .
By 2008, 7,000 miles of stream bank and shoreline will be restored with riparian forest buffers (cumulative). The 2002 baseline is 1,298 miles.	EPA will collaborate with the U.S. Forest Service to ensure effective strategies to conserve and expand forest buffers.	Miles of streambank and shoreline restored with forested buffers. <a href="http://www.chesapeakebay.net/status.cfm?id=83">www.chesapeakebay.net/status.cfm?id=83</a> .

Strategies- Chesapeake Bay	Tools/Programs	Region-Specific Measures
<p>Improve and restore health of the Chesapeake Bay by reducing atmospheric deposition to the Bay and its watersheds.</p>	<p>1) Conduct assessments and analyses of the impact of nitrogen oxides (as secondary particulates) reductions achieved by implementation of programs to achieve the National Ambient Air Quality Standards (NAAQS) for 1-hour ozone, 8-hour ozone and PM 2.5.</p> <p>2) Conduct assessments and analyses of the impact of air toxics reductions achieved via implementation of the Maximum Achievable Control Technology (MACT) standards, and community-based air toxics projects.</p>	<p>1) Number of reductions in atmospheric deposition of nitrates and sulfates to the Bay and its watersheds.</p> <p>2) Number of reductions in atmospheric deposition of air toxics emissions to the Bay and its watersheds.</p>
<p>By 2008, improve the water quality and overall aquatic system health of the Chesapeake Bay by reducing nitrogen loads entering the Bay by 94 million pounds per year, from 1985 levels (cumulative). The 2002 baseline is 51 million pounds per year reduction.</p>	<p>Revised tributary strategies will be provided to EPA in Spring 2004 and the states will have new water quality standards by 2005, both of which will drive the nutrient and sediment reductions needed to achieve the recently published criteria for dissolved oxygen, water clarity and chlorophyll a, and remove the Bay from the list of impaired waters by 2010. Key elements of state strategies to achieve these reductions include implementing advanced treatment of wastewater to reduce nutrient discharges, a range of management practices to reduce nutrients and sediments from farms, and the restoration and protection of riparian forests that serve as a buffer against sediment and nutrient pollution that enters waterways from the land.</p>	<p>Reductions in nitrogen/phosphorus/sediment loads entering the Chesapeake Bay <a href="http://www.chesapeakebay.net/status.cfm?id=186">www.chesapeakebay.net/status.cfm?id=186</a>.</p>



Strategies- Chesapeake Bay	Tools/Programs	Region-Specific Measures
<p>By 2008, improve the water quality and overall aquatic system health of the Chesapeake Bay by reducing phosphorus loads entering the Bay by 9.7 million pounds per year, from 1985 levels (cumulative). The 2002 baseline is 8 million pounds per year reduction.</p>	<p>Revised tributary strategies will be provided to EPA in Spring 2004 and the states will have new water quality standards by 2005, both of which will drive the nutrient and sediment reductions needed to achieve the recently published criteria for dissolved oxygen, water clarity and chlorophyll a, and remove the Bay from the list of impaired waters by 2010. Key elements of state strategies to achieve these reductions include implementing advanced treatment of wastewater to reduce nutrient discharges, a range of management practices to reduce nutrients and sediments from farms, and the restoration and protection of riparian forests that serve as a buffer against sediment and nutrient pollution that enters waterways from the land.</p>	<p>Reductions in nitrogen/phosphorus/sediment loads entering the Chesapeake Bay <a href="http://www.chesapeakebay.net/status.cfm?id=186">www.chesapeakebay.net/status.cfm?id=186</a>.</p>
<p>By 2008, improve the water quality and overall aquatic system health of the Chesapeake Bay by reducing sediment loads entering the Bay by 1.37 million tons per year, from 1985 levels (cumulative). The 2002 baseline is 0.8 million tons per year reduction.</p>		
<p>By 2008, 69 percent of wastewater flow to the Chesapeake Bay will be treated by biological nutrient removal (BNR) (cumulative). The 2002 baseline is 48 percent.</p>	<p>EPA will ensure that states are on schedule to implement new water quality standards through methods such as installation of biological nutrient removal at wastewater treatment facilities, and effective MS4 and CAFO permits.</p>	<p>Percent of wastewater flow treated with nutrient reduction technology. Percent of wastewater flow treated with nutrient reduction technology <a href="http://www.chesapeakebay.net/status.cfm?id=139">www.chesapeakebay.net/status.cfm?id=139</a>.</p>

## **GOAL 5: COMPLIANCE AND ENVIRONMENTAL STEWARDSHIP**

### **Objective 5.1: Improve Compliance**

#### **Sub-objective 5.1.1: Compliance Assistance**

##### Compliance Assistance - General Objectives

##### **Current State/Major Problems to be Addressed**

Data available on environmental and health protection trends from compliance assistance is limited to the number of activities and entities reached that were reported in the national Regional Compliance Assistance Tracking System (RCATS) database in fiscal years 1998 to 2002 and some outcome measurement projects. The database shows that the Region reported reaching about 46,500 entities which averages to about 2,800 entities per compliance assistance FTE received in FY 2002. The activities in the database do not include entities reached through information posted on regional web sites.

In projects where the Region has used compliance assistance as part of an integrated compliance assurance strategy, there are indications of some improvements. For example, nearly 80 percent of higher education facilities surveyed reported sharing information gained from outreach after compliance assistance to colleges and universities. About half made environmental management improvements and/or made labeling changes to be compliant. Some switched to a cleaner oil or other product. There also was a decrease in violations found during inspections after programs did compliance assistance in single environmental programs such as asbestos in schools and pesticides. Region III regards these as encouraging indicators that compliance assistance is effective. However, the Region has anecdotal information that indicates a drop in environmental performance when EPA cannot keep up a significant presence in a sector as the agency shifts resources to handle pressing problems in other sectors. For the Region's projected compliance assistance work with schools, there is information on potential health threats to students from exposure at school to asbestos, lead in drinking water, pesticide use, and chlorine leaks from pool chemical storage and lab materials from the baseline inspections that were conducted during 2003; these will be further evaluated in projects during FY04/05. Region III will otherwise be implementing the national performance measures.

Major problems to be addressed include:

1. Lack of awareness about the benefits and need for complying with environmental regulations to avoid health and environmental problems, particularly among small and/or financially challenged entities.
2. Large number of regulated small and/or financially stressed facilities

with unidentified problems that do not appear on the radar screen because of lack of data in current federal systems that track largely major sources of pollution.

3. Lack of perceived benefit of compliance assistance in producing results that help achieve the results that managers and staff are held accountable for annually.

### Strategy Highlights

In general, the Region's strategy is to incorporate compliance assistance into plans for making progress toward objectives for a specific sector or statute, as well as providing responses to day-to-day requests for guidance. The level of planned assistance might vary from broad outreach, such as a feature article in a trade publication for a sector dominated by large businesses, to partnering with the states and trade associations on an array of presentations, articles, workshops and website information. For example, Region III will partner with the region's small business and pollution prevention group to achieve mutual goals that involve the same audiences. The Region anticipates continuing efforts with schools and auto service sectors into the 2005-2008 time frame.

### Strategies, Tools, and Measures

Strategies- Compliance Assistance	Tools/Programs	Region-Specific Measures
Regional compliance assistance staff will ensure that facilities are made aware of EPA requirements.	Incorporate compliance assistance into plans for making progress toward objectives for a specific sector or statute, as well as providing responses to day-to-day requests for guidance.	Three percent increase in the number of entities that report an increased understanding as a result of EPA compliance assistance.
Regional compliance assistance staff will ensure that facilities implement measures to achieve EPA requirements.	Conduct compliance assistance and partner with the Region's small business and pollution prevention group to achieve mutual goals that involve the same audiences.	Three percent increase in the number of entities that report an improved management practices as a result of EPA compliance assistance (regulatory & non-regulatory changes).

<b>Strategies- Compliance Assistance</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
Regional compliance assistance staff will ensure that facilities implement measures to achieve EPA requirements and voluntarily reduce pollution in processes.	Conduct compliance assistance and partner with the Region's small business and pollution prevention group to achieve mutual goals that involve the same audiences.	Three percent increase in the number of entities that report reduced pollution as a result of EPA compliance assistance.
Regional compliance assistance staff will ensure that schools are made aware of EPA requirements.	Identify compliance status of schools in baseline study about compliance levels, possible inspections, or other follow up measurement tool.	Five percent increase among all schools, as a result of EPA compliance assistance.
Regional compliance assistance staff will ensure that schools implement measures to achieve EPA requirements.	Conduct compliance assistance for schools, as well as providing responses to day-to-day requests for guidance regarding meeting EPA regulations.	Three percent change in the number of facilities that report compliance and/or management systems to facilitate compliance as a result of EPA compliance assistance.
Regional compliance assistance staff will ensure that schools implement measures to achieve EPA requirements and voluntarily reduce pollution during their operation.	Conduct compliance assistance for schools, as well as providing responses to day-to-day requests for guidance regarding meeting EPA regulations and achieving pollution prevention.	One percent change in the number of entities that report reduced pollution as a result of EPA compliance assistance.

### Compliance Assistance - Program-Specific Objectives

#### Clean Air Act (CAA)

#### **Current State/Major Problems to be Addressed**

For the air enforcement program, two areas are highlighted in FY 2004 for compliance assistance activities. First, letters providing information related to compliance with the WWW (standards for gas collection at landfills) landfill New Source Performance Standard (NSPS) standard will be mailed to Region III landfills, detailing activities required by the NSPS. In addition, facilities that possess chloro-flourocarbon (CFC) equipment, as observed by other regional inspection programs, will be targeted for assistance for their compliance with the CFC requirements by providing information sheets and registration forms.

#### **Strategy Highlights**

The air enforcement program is a balanced program using all available tools, including compliance assistance, informal enforcement actions, formal enforcement

actions, administrative actions, judicial actions, full and partial compliance determinations, and investigation and training for state capacity building. Compliance assistance consists of information and technical assistance provided to the regulated community to help it meet its environmental requirements. The outreach previously described for the landfill facilities and CFC-regulated facilities will provide advice to these entities in their efforts to meet CAA requirements under the NSPS and CFC programs.

### Strategies, Tools, and Measures

Strategies- CAA	Tools/Programs	Region-Specific Measures
Compliance with the EPA CAA requirements, including CFC and NSPS will be sought.	Outreach efforts/mailings to potentially regulated facilities will provide information on compliance.	1) An increase in the number of facilities with CFC-registered equipment. 2) An increase in awareness of NSPS requirements demonstrated by the number of facilities that contact EPA.

### Clean Water Act (CWA)

#### **Current State/Major Problems to be Addressed**

For the CWA programs, areas that will be subject to concentrated compliance assistance efforts include the Combined Sewer Overflows (CSO) and Sanitary Sewer Overflows (SSO) programs.

A major focus of the Region III compliance program is to address CSO and SSO from municipal systems. This has been both a regional and national priority over the last few years due to the public health and environmental impacts of these illegal discharges and the high non-compliance rate in the regulated community. Oil and grease are leading contributors to problematic SSOs.

#### **Strategy Highlights**

In an effort to reduce oil and grease contributions to SSO/CSOs, regional inspection staff will provide pamphlets to communities that demonstrate oil and grease problems identified through inspection preparation and feedback from a pretreatment team.

**Strategies, Tools, and Measures**

Strategies- Clean Water Act	Tools/Programs	Region-Specific Measures
Decrease in oil and grease discharges from SSOs.	Outreach efforts/mailings to potentially regulated facilities provide information on compliance.	Number of SSOs that demonstrate a reduction in oil/grease contributions.

Safe Drinking Water Act (SDWA)

**Current State/Major Problems to be Addressed**

Ninety one percent of the Region III population served by community water systems (CWS) and 93 percent of the population served by non-community, non-transient water systems are receiving drinking water for which no violations of federal health standards have occurred within a year. Compliance assistance efforts will therefore be targeted on the balance: smaller drinking water systems that may not remain in compliance on a consistent basis, especially those with part-time operators, as well as schools and day care centers.

**Strategy Highlights**

With regard to lead in school drinking water, and in addition to on-going enforcement action/remediation evaluations, Region III is planning to work with the states to provide significant outreach efforts to get smaller drinking water systems, including, but not limited to, schools and daycare centers, throughout the region to be sampled and remediated as necessary.

**Strategies, Tools and Measures**

Strategies- SDWA	Tools/Programs	Region-Specific Measures
To ensure that schools and day care centers in Region III have access to safe drinking water.	Outreach efforts to schools will provide information on compliance and encourage sampling and remediation.	Number of schools to sample drinking water for lead and to remediate, as necessary.

Emergency Planning and Community Right to Know Act (EPCRA 302-312)/Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (103)

**Current State/Major Problems to be Addressed**

Making facilities aware of their obligations is imperative in an effort to meet the objective of this environmental requirement: primarily to protect human health, particularly the health of first responders who may be dispatched to an incident at a facility. Region III EPCRA/CERCLA staff work closely with states and local emergency response organizations to make sure facility reporting has occurred.

### Strategy Highlights

Outreach seminars are part of the compliance assistance program. Seminars are provided upon request and will be presented to various industry and emergency response personnel. EPCRA/CERCLA training presentation workshops have been completed and training is given on an as-needed basis. The Region reports information on the number of seminars conducted, number of attendees, location, and identification of seminar recipients.

Compliance assistance administered by the program on a routine basis includes responding to phone queries from industry and the general public. During inspections, staff will distribute EPCRA/CERCLA/small business information, and a new security information booklet suggesting steps facilities can take to protect their facility, their products, and the community around them.

### Strategies, Tools and Measures

Strategies- EPCRA/CERCLA	Tools/Programs	Region-Specific Measures
EPCRA/CERCLA staff will ensure that facilities are made aware of EPA reporting and notification requirements.	In addition to providing responses to day-to-day requests for guidance, EPCRA/CERCLA staff will provide seminars to the regulated public as requested.	Numbers of entities that are reached through outreach efforts, including seminars and direct response.

### Risk Management Program, Clean Air Act (CAA) Section 112(r)

#### Current State/Major Problems to be Addressed

The goal of the Risk Management Program, under CAA Section 112(r), is to prevent chemical accidents at facilities using extremely hazardous substances. Facilities subject to this regulation are required to prepare and submit to EPA a Risk Management Plan (RMP), which provides a summary of the site's accident prevention program, an emergency response plan, and an offsite consequence analysis (OCA) looking at a "worst-case" release scenario. EPA performs audits and inspections to verify a facility's submitted information and to view the on-site practices and procedures.

There are two new items in the RMP program of which facilities need to be reminded in order to remain in compliance. First, all Plans are required to be updated and resubmitted to EPA at least every five years. For a large majority of facilities, the deadline for updating their plan is June 2004. Second, EPA is finalizing changes to the RMP regulations which will directly impact the information facilities are required to include in the plans. It is anticipated that the regulatory changes will coincide with the deadline for updating plans.

### Strategy Highlights

During the on-site audits and inspections, the RMP staff routinely provide general and site-specific compliance assistance to facilities by sharing knowledge of best industry practices, providing recommendations on how to operate the facility in a safer manner, and distributing fact sheets and other guidance materials.

Compliance assistance administered by the program on a routine basis includes responding to phone queries from industry and the general public. Providing outreach regarding the five-year update and the regulatory changes is a priority for the program to ensure facilities remain in compliance with these two important issues. Outreach will include distributing information during on-site visits and upon request and responding to phone calls from industry and contractors. The program is also coordinating with the Virginia, West Virginia, and District of Columbia Small Business Assistance group to distribute information through a targeted mailing effort and ensure that small businesses without access to the internet or electronic mail receive the compliance assistance materials.

Outreach seminars are part of the RMP compliance assistance program. Seminars are provided upon request and will be presented to various industry and emergency response personnel. The Region reports information on the number of seminars conducted, number of attendees, location, and identification of seminar recipients.

The program has developed a targeted compliance assistance initiative directed toward small drinking water facilities that are subject to the General Duty Clause of the Clean Air Act, Section 112(r)(1). The initiative consists of cross-media coordination and outreach activities for industry to encourage the safer operation of handling hazardous materials. The outreach activities will include: (1) presenting seminars and training sessions to industry groups; (2) submitting articles to trade association journals; and (3) developing informational handouts.

### Strategies, Tools and Measures

Strategies- RMP	Tools/Programs	Region-Specific Measures
RMP staff will ensure that facilities are made aware of RMP requirements.	In addition to providing responses to day-to-day requests for guidance, RMP staff will provide seminars to the regulated public.	Numbers of entities that are reached through outreach efforts, including seminars and direct response.



Emergency Planning and Community Right to Know Act (EPCRA)- 313

**Current State/Major Problems to be Addressed**

The program will focus its compliance assistance efforts toward informing specific sectors of compliance requirements. The types of industries that have been traditional violators include companies operating in the furniture, food products, and stainless steel processing industry sectors. The program will continue to emphasize these industries as well as facilities in the chemical industry.

**Strategy Highlights**

Region III will utilize Envirofacts, Harris Directory, information gathered by other programs, telephone screening, and response to public inquiries to target facilities for compliance assistance efforts. The Toxics Release Inventory (TRI) workshops will keep industry informed of EPCRA requirements. The Region will issue press releases on enforcement actions and continue to adhere to the consultative process by informing the states in advance of pending actions.

In addition to providing compliance assistance, the EPCRA program will issue press releases and create partnerships with organizations as ways to meet the objectives of this strategy.

**Strategies, Tools and Measures**

Strategies- EPCRA- 313	Tools/Programs	Region-Specific Measures
Voluntary reductions in the amounts of toxic chemicals released into the environment by facilities will be attempted.	Compliance assistance, state capacity building, mass mailings, press releases, networking and partnering with organizations will be used as tools in acquiring voluntary reductions.	Number of facilities that voluntarily change processes or reduce emissions or discharges of toxic chemicals released into the environment.

Oil Pollution Act (OPA)

**Current State/Major Problems to be Addressed**

The Oil Pollution Act is a comprehensive statute designed to expand oil spill prevention, preparedness, and response capabilities of the federal government and industry. According to the oil pollution prevention regulations, certain facilities are required to prepare and implement a Spill Prevention, Control, and Countermeasures (SPCC) plan. Other regulated facilities with large storage capacity are required to prepare for worst case spills by developing Facility Response Plans (FRPs) in addition to the SPCC Plan. OPA staff provide compliance assistance when evaluating SPCC and FRP plans submitted voluntarily and in accordance with the regulations.

### Strategy Highlights

The SPCC staff will continue to conduct inspections, review plans, follow-up on screening inspections conducted by other divisional programs, and perform outreach to the regulated community. The Region will continue to emphasize its commitment to assisting facilities with complying with the SPCC regulations by, among other things, evaluation of voluntarily-submitted SPCC plans. The Regional Oil Program newsletter is also produced quarterly, and reaches over 5,000 regulated facilities.

### Strategies, Tools and Measures

Strategies- OPA	Tools/Programs	Region-Specific Measures
Facility compliance with the SPCC requirements will be ensured.	1) Outreach efforts/compliance advice provided through distribution of the newsletter. 2) Response to phone inquiries. 3) Evaluation of voluntarily submitted SPCC plans.	An increase in the number of facilities reached through compliance assistance efforts.

### Wetlands

#### Current State/Major Problems to be Addressed

Wetlands enforcement staff continue to work with the regulated community towards compliance with the CWA through education and outreach, in an effort to reduce impacts to wetlands/waterways or to restore the total square footage of wetlands/waterways to their original conditions.

### Strategy Highlights

The program remains committed to achieving compliance with environmental requirements through voluntary means whenever possible. Region III continues to develop additional wetlands enforcement training courses and participate in national and regional regulatory conferences. Region III has been successful with compliance assistance measures with the West Virginia Department of Highways and plans to continue this effort with other highway programs in the region. Initial drafts of a wetlands compliance informational web page have begun and this project is slated to be completed in FY 2004 and thereafter maintained.

**Strategies, Tools and Measures**

<b>Strategies- Wetlands</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
Outreach to entities involved in business that could impact wetlands through fill activities.	1) Conduct seminars to the regulated public prior to their construction activities. 2) Develop informational web page to provide compliance assistance information.	Number of entities reached through seminars, responses to inquiries and/or number of instances of access to web page.

**Resource Conservation and Recovery Act (RCRA)****Current State/Major Problems to be Addressed**

The RCRA program implements a balanced program using all available tools, including compliance assistance and enforcement actions (including administrative and judicial actions) and training for state capacity building. Compliance assistance consists of information and technical assistance provided to the regulated community to help it meet its environmental requirements. Region III will concentrate its compliance assistance efforts, as appropriate, on newly regulated handlers; handlers subject to new regulations; small businesses in priority sectors; and other small businesses with compliance problems.

**Strategy Highlights**

Inspectors will implement compliance assistance efforts during inspections related to the requirements of the RCRA programs. Region III will continue reaching out to area Hispanic communities concerning hazardous waste management requirements for dry cleaning and auto body shops, as well as UST requirements. Publication of environmental articles in local Hispanic newspapers and meetings with local government and community leaders will identify other means to reach this population.

**Strategies, Tools, Measures**

<b>Strategies- RCRA</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
Compliance assistance provided during on-site visits and inspections that result in measures by the facility meeting regulatory requirements.	Inspector Conclusion Data Sheets (ICDS) to track information on corrective actions taken by facilities as a result of advice provided during inspections.	Number of facilities implementing corrective actions as a result of on-site inspections.
Outreach to the Hispanic population will assure compliance by regulated businesses.	Community meetings and newspaper articles provide information on environmental compliance.	An increase in the number of facilities reached through outreach efforts.

Toxic Substances Control Act (TSCA)- Lead**Current State/Major Problems to be Addressed**

The National Health and Nutrition Examination Surveys (NHANES) lead report tracks blood-lead levels in the United States. Nationally, lead is one of the worst environmental hazards, continuing to plague children despite drops in blood-lead levels (BLLs). Exposures occur from ingesting dust and soil contaminated mainly by deteriorated lead paint and old emissions from leaded gas. NHANES has documented a substantial decrease in BLLs among young children. The NHANES II report covering the years 1976-1980 reported a geometric mean BLL of 15 up/dl among children one to five years of age. The most current data shows that geometric mean BLLs continue to decrease in young children. Other potential indicators for compliance assistance current status could include the number of individuals that voluntarily come into compliance.

**Strategy Highlights**

Region III expects to reach the regulated community as well as the general public through a combination of compliance/outreach, compliance monitoring and enforcement. The tools for compliance assistance and outreach will include the following mechanisms: press releases, trade shows, health fairs, and partnering with nonprofit and community organizations.

**Strategies, Tools and Measures**

<b>Strategies- TSCA- Lead</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
Compliance assistance provided during on-site visits and inspections that result in the facility meeting regulatory requirements.	ICDS sheets to track information on corrective actions taken by facilities as a result of advice provided during inspections.	Number of facilities implementing corrective actions as a result of on-site inspections.
<b>Strategies- TSCA- Lead</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
Voluntary compliance by owner/operators will be encouraged; work with the regulated community to look for ways to achieve voluntary abatement.	Compliance assistance, state capacity building, mass mailings, press releases, networking and partnering with organizations will be used as tools in acquiring voluntary compliance.	1) Number of target housing affected; number of homes abated (i.e., window replacement). 2) Number of individuals that voluntarily come into compliance.

Toxic Substances Control Act (TSCA)- Asbestos**Current State/Major Problems to be Addressed**

Based on regional compliance monitoring over the last several years, it appears that approximately 20-30 percent of the schools inspected are not in compliance in some way with the Asbestos Hazard Emergency Response Act (AHERA). The non-

complying schools tend to fall into two distinct groups: previously compliant schools in existence in 1988 that are now non-compliant and newer schools apparently unaware of AHERA requirements.

### Strategy Highlights

The Region will utilize a combination of compliance assistance and outreach to inform schools of their compliance obligations under AHERA. Presentations at trade shows, including the Philadelphia Flower Show, farm shows, the Fall Harvest Show, and the Philadelphia and Baltimore facilities management trade shows will continue. Region III will follow-up with compliance monitoring inspections to determine whether compliance assistance and/or outreach activities were effective. The Region will take followup enforcement actions where indicated.

### Strategies, Tools and Measures

Strategies- TSCA - Asbestos	Tools/Programs	Region-Specific Measures
Compliance with the AHERA requirements by schools will be sought.	Outreach efforts/mailings to potentially regulated facilities will provide information on compliance with AHERA to regulated schools.	The number of schools that are contacted and/or come into compliance as a result of outreach efforts, as indicated during compliance inspections.

### Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

#### Current State/Major Problems to be Addressed

Region III's FIFRA program will reach out to trade organizations to provide information to the regulated community and the general public about new and existing pesticide regulations and requirements and pest-related integrated pest management, West Nile Virus, worker safety, and water quality. There are indications that workers are exposed to pesticides more often than previously thought, making the need for increased attention to worker safety issues increasingly important. Several of the Region III states do not agree that the Worker Protection Standard (WPS) requires attention.

### Strategy Highlights

Presentations at trade shows, including the Philadelphia Flower Show, farm shows, the Fall Harvest Show and the Philadelphia and Baltimore facilities management trade shows will continue. The program will continue to publish the FIFRAGRAM, a newsletter distributed to registered establishments to remind those facilities of filing deadlines, as well as to provide technical information.

### Strategies, Tools and Measures

Strategies- FIFRA	Tools/Programs	Region-Specific Measures
Compliance with core FIFRA requirements will be promoted.	Outreach efforts/mailings to potentially regulated facilities, as well as presentations at trade shows will provide information on compliance.	The number of facilities that are reached through compliance assistance efforts.

### Multi-Media

#### **Current State/Major Problems to be Addressed**

The Park Heights/Ward 5 Community Project is one of the Region's compliance assistance efforts. The Region, with state and local representatives from Maryland and DC, led an effort to secure compliance of facilities by planning and undertaking inspections at facilities within those jurisdictions on behalf of the states to establish a baseline compliance status for subsequent compliance assistance, environmental justice coordination, or enforcement action. The Region helped develop the compliance assistance manuals and will conduct follow-up inspections to determine the success of the community outreach/compliance efforts that were employed. As an added benefit, both of these projects concentrate on reducing the amount of pollutants, particularly oil, in environmental justice areas located in the Park Heights section of Baltimore, Maryland, and the Ward 5 area of the District of Columbia.

The results of these projects will be measured by these measurement methods: determining the compliance rate at the beginning of the project and again after the outreach has occurred; determining the number of participants who self-certify; surveying the auto body shops to determine any change in behavior regarding compliance with environmental regulations; determining if complaints in the area have decreased; and, in Baltimore, evaluating the Publicly Owned Treatment Works' (POTWs') Discharge Monitoring Reports (DMRs) to determine if there was a decrease in oil and grease discharges. These are just a few measures that have been discussed. Region III is still working with both DC and Maryland to finalize measures for these projects.

#### **Strategy Highlights**

The Region's compliance assistance and environmental justice coordinators developed integrated strategies and outreach projects in partnership with Maryland and Washington, DC. Both projects concentrate on reducing the amount of pollutants in environmental justice areas: Park Heights in Baltimore, Maryland, and Ward 5 of the District of Columbia. In addition, the Region has worked with community groups in both of these areas to identify other problems there and the community groups will continue to provide assistance including outreach to these projects.

**Strategies, Tools and Measures**

<b>Strategies- Multi-Media</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
The auto body shops will be surveyed to determine if any change in behavior with regards to complying with environmental regulations have occurred.	Determining the compliance rate at the beginning of the project and again after the outreach has occurred; determining the number of participants who self-certify.	An increase in the number of facilities that comply with environmental requirements.

**Federal Facilities****Current State/Major Problems to be Addressed**

The Region will continue to host the yearly EPA/State/DOD Region III Environmental Colloquium, which normally addresses DOD compliance with environmental regulations concerning air, water, hazardous waste and underground storage tanks requirements, as well as the National Environmental Policy Act (NEPA), wetlands delineation and requirements, noise management, storm water phase II requirements and non-regulatory programs, including Environmental Management Systems (EMSs) and EPA databases. Attendees traditionally include members from DOD installations throughout Region III (including Army Corps of Engineers and Defense Logistics Agency), federal and state regulators, National Guard, Coast Guard, US Department of Agriculture, NASA, Delaware Department of Transportation, National Park Service, US Government Printing Office, National Association of Attorney Generals and private consultants. Civilian federal agencies will be provided general compliance assistance through outreach efforts described below. Compliance assistance efforts will focus on Clean Water Act/National Pollutant Discharge Elimination System (NPDES) and underground storage tanks compliance.

**Strategy Highlights**

Federal facilities' compliance assistance activities include all regulatory programs and will include workshops, conferences, publications, and mailings. The Region is developing the Region III Federal Facilities Compliance Kit, a CD containing compliance assistance material for federal facilities. This will include compliance information on specific regulatory programs, the Yellow Book, EMS implementation information, and compliance incentive programs like EPA's Audit Policy. Outreach will be performed at meetings and conferences, through EPA or government newsletters, the Region's web site, and response to hotline inquiries. The Region will also provide a multi-media training session, entitled "Ask the Inspector," three NPDES Compliance workshops, four EMS training sessions, and two workshops for the underground storage tank inspections, monitoring, and testing requirements.

### Strategies, Tools and Measures

Strategies- Federal Facilities	Tools/Programs	Region-Specific Measures
Federal facility compliance in identified sectors will be achieved.	Outreach will be performed through attendance at meetings and conferences, newsletters, web pages and response to hotline inquiries.	Number of entities reached through compliance assistance efforts.
Federal Facilities implementation of theirs EMS.	Also, a questionnaire will be developed to be sent to facilities three months after a training had been conducted.	

### Sub-Objective 5.1.2: Compliance Incentives

EPA promotes compliance with all programs through use of incentive policies. These policies reduce or waive penalties under certain conditions for facilities which discover, promptly disclose and correct environmental problems. EPA's Audit Policy, Small Business Policy and Small Community Policy provide incentives for environmental compliance. Region III will implement the national performance measures for the compliance incentive programs.

### Current State/Major Problems to be Addressed

Certain programs may communicate EPA's Audit Policy in correspondence to sectors identified for possible inspection/enforcement action in an effort to increase rates of compliance and/or environmental improvements. For example, the Region's upcoming Federal Facilities Compliance Kit will include information on compliance incentives such as EPA's Audit Policy. Alternatively, facilities may voluntarily disclose violations to EPA in anticipation of being inspected or in response to an environmental audit, which they may conduct while managing facility compliance. EPA programs are obligated to respond to disclosures submitted under the Office of Enforcement and Compliance Assurance's Audit Policy. Appropriate action is determined on individual self-disclosures.

### Strategy Highlights

Facility self-disclosures will be distributed to appropriate regional program contacts for resolution, in conjunction with the Office of Regional Counsel.



**Strategies, Tools and Measures**

<b>Strategies- Audit Program</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
Facility compliance with the environmental requirements and/or permit conditions will be assured.	Compliance incentives will continue to be administered by the program through the self disclosure/audit policy.	Number of audit/disclosure resolutions in any program.

**Sub-Objective 5.1.3: Monitoring and Enforcement**

Environmental protection is defined in part by a robust enforcement program including inspection, monitoring, and compliance assistance activities. Compliance monitoring activities include conducting compliance inspections and investigations, record reviews, and responding to citizen complaints. Regional inspection targeting will focus on areas of known high non-compliance and or environmental impact, in addition to core program inspection requirements specified by the National Performance Guidance. Enforcement actions will be taken to correct violations discovered as well as to promote compliance and encourage behavior change and pollutant reductions, and will comply with appropriate Program Enforcement Response Policies and/or Timely and Appropriate or National Significant Issues Guidances.

Indicators of environmental protection include the number of enforcement actions taken, where enforcement action is defined by a range of actions from inspections to judicial referral. Enforcement actions taken will result in a measurable reduction of the pollutants emitted, discharged or released, or the regulated entities making improvements to environmental management practices. Pollutant reductions and compliance assistance will be measured in part by completed case conclusion and inspection conclusion data sheets. Areas of focus for enforcement efforts will include, but not be limited to, facilities that have demonstrated Significant Non-Compliance (SNC) including facilities named to OECA's Watch List.

Collaborative partnerships with the states are essential to the Region's mission of protecting our nation's health and environment. Region III is firmly committed to maintaining effective on-going consultation and communication with its states, by ensuring that established processes and procedures for notification of inspections and enforcement actions in authorized and non-authorized programs, pursuant to the "no surprises" policy, is followed. Furthermore, the Region will be participating in OECA's State Program Review that will develop a methodology to consistently evaluate the outcomes and results of state compliance and enforcement programs.

Monitoring and Enforcement - Program Specific Objectives

Clean Air Act

**Current State/Major Problems to be Addressed**

The air toxics program is focused on risk and four elements, including using the National Air Toxics Assessment (NATA), after the data is reviewed by the air program, to set priorities and guide programs, and national, regional, and community-based initiatives that focus on multi-media and cumulative (including indoor-outdoor) risk.

The air enforcement program has a resource concern which may be realized if consent decree negotiations for several New Source Review (NSR) and Prevention of Significant Deterioration (PSD) items are discontinued and litigation ensues. In addition, as senior staff approach retirement age, expertise in certain areas may be affected and will require replacement and the associated training.

**Strategy Highlights**

The air enforcement program is a balanced program using all available tools, including compliance assistance; informal and formal enforcement actions; administrative actions; judicial actions; full and partial compliance determinations; and investigation and training for state capacity building. All enforcement activities are undertaken to reduce emissions and improve compliance in targeted areas based on available risk, environmental and compliance data; to provide deterrence; and to affect environmental behavior positively. The Region will continue to work on cases that have already been referred for judicial enforcement, as well as to address High Priority Violators (HPVs)/Watch List facilities. State capacity building is accomplished in part by making formalized training available and otherwise exchanging information and providing expertise in the context of the planned inspection program.

**Strategies, Tools and Measures**

Strategies- CAA	Tools/Programs	Region-Specific Measures
Program staff will address significant noncompliance (SNC) in all media High Priority Violators (HPVs)/Watch List cases for CAA compliance.	Region III will work with their states to implement the HPV policy to discuss progress in addressing and resolving existing HPVs as well as the identification of newly determined HPVs.	1) Number of enforcement actions, both formal and informal resulting in improved compliance. 2) Quantity of emission reductions achieved.

Strategies- CAA	Tools/Programs	Region-Specific Measures
Program staff will implement the NSR and PSD program.	Full compliance evaluations will be employed during compliance monitoring inspections including a determination with respect to NSR and PSD.	1) Number of enforcement actions, both formal and informal resulting in improved compliance. 2) Quantity of emission reductions achieved.
The air enforcement program will target air toxics enforcement activities based on available environmental and risk data including but not necessarily limited to NATA.	All enforcement activities are undertaken to reduce emissions and improve compliance in targeted areas based on available risk, environmental and compliance data.	1) Number of enforcement actions, both formal and informal resulting in improved compliance. 2) Quantity of emission reductions achieved.

### Clean Water Act (CWA)

#### **Current State/Major Problems to be Addressed**

##### Combined Sewer Overflows/Sanitary Sewer Overflows

For the CWA enforcement programs, two areas are highlighted in the FY 2004 OECA performance priorities for the regional programs: (1) addressing significant noncompliance (SNC) and (2) control of Combined Sewer Overflows (CSO) and Sanitary Sewer Overflows (SSO). A major focus of the Region III compliance program is to address CSO and SSO from municipal systems. This has been both a regional and national priority over the last few years due to the public health and environmental impacts of these illegal discharges and the high non-compliance rate in the regulated community.

##### Storm water

To a great extent, a significant percentage of water quality problems can be attributed to storm water runoff from point sources. This water quality impairment has been reported in the states' section 305(b) reports, which indicate that storm water runoff is one of the leading causes of surface water impairment. Additionally, due to the nature of the activities often engaged in by these types of sources, they can be the source of contamination to both ground and surface drinking water sources. The importance of ensuring a high compliance rate for these sources is important if progress is going to be made in addressing water quality and source water issues. Moreover, within the next year the storm water universe is to substantially expand as the construction site universe and the Municipal Separate Storm Sewer Systems (MS4) universe will be expanded substantially.

Environmental measures to determine the effectiveness of this work are not readily available due to the sheer number of sites. The regulated entities that compose

the source universe are relatively small, but numerous. Water quality improvements resulting from specific actions are not readily measurable due to source characteristics, the frequency of water quality monitoring, and the sporadic nature of wet weather events. It is important that at the national level, some meaningful measures are developed that capture not only the impact of individual cases, but also the deterrent impact.

There is also a need to develop the statistical sampling tools and protocols necessary to evaluate the outcomes identified above.

### **Strategy Highlights**

#### CSO/SSO

In Region III, 226 POTWs experience discharges from CSO outfalls. EPA and/or Region III's states (except Pennsylvania) are committed to inspect each of the CSO communities. As part of the CSO/SSO inspections, evaluations of facility sludge handling will also be conducted during EPA inspections, as appropriate.

The most significant problem faced by this region in addressing overflow problems is related to the financial burden faced by communities to implement Long Term Completion Plans (LTCP) and eliminate SSOs. The communities of concern, particularly for the numerous Region III CSO municipalities, are characterized by aging infrastructure and financial challenges. The combined burden to address this problem will pose a significant challenge to EPA, the states, and the regulated community.

#### Storm water

The compliance rate for storm water regulations is low, based upon field work conducted by EPA and discussions with Region III states. The complete extent of non-compliance is largely unknown. As the storm water universe is large, national estimates indicate between 100,000 to 200,000 potential permittees, the Region's states, and EPA have been attempting to expand their compliance assurance activities to address this important universe in light of resource constraints. Regional staff will negotiate agreements with the states to tradeoff traditional inspections for minor facility/storm water inspections.

**Strategies, Tools and Measures**

<b>Strategies- Clean Water Act - CSO/SSO/Storm water</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
Increases in the compliance rate with particular emphasis on the Watch List facilities.	Evaluate Watch List (SNCs/HPVs) in each media area and each state and pursue appropriate action.	Number of enforcement actions.
Reductions in stream impairment; reductions in the number of outfalls.	Inspections, state referrals.	1) Number of enforcement actions. 2) Number of outfalls addressed. 3) Miles of stream/waterway improved.
Elimination of dry weather CSOs; or a demonstration that the Nine Minimum Controls (NMC) are being implemented through development and implementation of an LTCP.	1) Schedule to achieve compliance with the CSO policy and Clean Water Act. 2) Compliance with CSO provisions in existing permits or enforcement action.	Number of enforcement actions; number of permits revised and/or enforced.
Contributions to waterways from uncontrolled Storm water runoff will be minimized.	An increased field presence will accomplish more inspections.	Number of agreements with the states to tradeoff traditional inspections for minor facility/storm water.

**Safe Drinking Water Act (SDWA)****Current State/Major Problems to be Addressed**

The regional SDWA program priorities focus on acute contaminants (coliform and nitrate/nitrites) as well as Maximum Contaminant Level (MCL) and action level violators. To this end, the Region will aggressively manage the SNC process with its states and ensure that all failures to comply with health based standards are addressed. Particularly, priorities will include enforcement for acutes in total coliform and nitrate, but also lead in schools and day care centers where action levels are exceeded but treatment has not been installed.

**Underground Injection Control (UIC) Program/Public Water System Supervision (PWSS)**

In Region III, the vast majority of public water systems and private drinking water sources rely on ground water for their source of water. It is estimated there are over one million drinking water wells in Pennsylvania alone. The aquifers that provide the water to these systems are extremely vulnerable to contamination from a wide variety of contaminant sources. A critical element of the SDWA is the UIC program designed to protect underground sources of drinking water from the subsurface emplacement of fluids. The UIC program accomplishes its objectives through the

review and issuance of permits, primarily for Class I-III (industrial, oil and gas and mining related wells respectively), well testing, inspections and enforcement. In addition, some areas in Region III do not have access to safe drinking water. The intent of the PWSS program is to ensure that the residents of Region III have access to safe drinking water.

PWSS

Delegated states are required to ensure an effective inspection and sanitary survey program; where the Region has primacy, inspections may also be conducted to maintain an effective program. Currently, one significant barrier is that many of the systems that Region III must address are very small and do not have the financial ability in many cases to comply with the law.

Underground Injection Program

The Region will ensure an effective field presence through routine inspection of all classes of wells. However, there are three significant barriers to ensuring compliance: (1) the administrative enforcement authority of the UIC program is very weak forcing us to use non-traditional enforcement tools; (2) emergency authorities used to address water contamination are extremely resource intensive and limit the number of cases handled; and (3) there are no adequate national measures for quantifying benefits of preventative actions.

**Strategy Highlights**

Underground Injection Control (UIC) Program/Public Water System Supervision (PWSS)

Follow-up on 100% of inspections (over 1,500) will continue, with either a pollution prevention letter or some other enforcement action. Facilities that handle endangering fluids that have the potential to enter groundwater through an injection well will be subject to Notice of Violations or administrative orders with or without penalties, depending on the severity.

PWSS

Inspection of 100% of facilities in SNC will be a program focus, however, achieving remediation may be difficult. The most significant barrier is that many of the systems that Region III must address are very small and do not have the financial ability in many cases to comply with the law.

**Strategies, Tools and Measures**

Strategies- Safe Drinking Water Act- PWSS/UIC	Tools/Programs	Region-Specific Measures
The intent of the PWSS/UIC program is to ensure that the residents of Region III have access to safe drinking water.	Inspections, state referrals, well testing, permit evaluation.	1) National Program Manager: Number of surveys performed. 2) Number of enforcement actions.

Oil Pollution Act (OPA)

**Current State/Major Problems to be Addressed**

The Oil Pollution Act is a comprehensive statute designed to expand oil spill prevention, preparedness, and response capabilities of the federal government and industry. According to the oil pollution prevention regulations, certain facilities are required to prepare and implement a SPCC plan. Other regulated facilities with large storage capacity are required to prepare for worst case spills by developing FRPs in addition to the SPCC Plan. FRPs, once approved, are required to be updated every five years.

The budget for the SPCC program is a concern based on the goals and targets that have been established. In addition, the deadlines for complying with the recent revisions to the SPCC regulations have been extended recently. The regulated community should have clarification of the revised regulations.

**Strategy Highlights**

The SPCC staff will continue to conduct SPCC inspections, review SPCC plans, and follow-up on screening inspections conducted by water division staff through issuance of information request letters. The program will target facilities for inspection in sensitive environmental areas, identified through area facility response planning and GIS. In addition, Region III will partner with the states in identifying facilities that require assistance and develop a program for expedited penalties for spills and SPCC and FRP violations. The expedited penalties program will allow for an efficient resolution of enforcement actions.

**Strategies, Tools and Measures**

<b>Strategies- Oil Pollution Act</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
Oil Program staff will assure that facilities have taken steps to prevent the discharge of oil to navigable waters or to prepare to respond to oil spills.	Oil Program staff will conduct inspections, review SPCC plans and followup on screening inspections, and evaluate FRPs submitted by regulated universe.	Number of facilities inspected; Oil Program staff will conduct 60 inspections at regulated facilities and will conduct unannounced drills at FRP regulated facilities, as resources allow.
Oil Program staff will quickly bring facilities into compliance with SPCC/FRPS requirements, and will quickly act to penalize facilities for oil spills.	Expedited penalty program.	1) Number of expedited penalty actions issued. 2) Number of facilities brought back into compliance.

**Wetlands****Current State/Major Problems to be Addressed**

Wetlands enforcement will continue to work towards compliance with the Clean Water Act, and is obligated to identify a process for identifying, targeting, inspecting, and responding to illegal activities.

**Strategy Highlights**

The Region has developed a Wetlands Enforcement Strategic Plan. The Plan evaluates several factors to balance resource protection concerns with developmental risk, and has targeted its surveillance and enforcement activities into those high risk areas by entering into MOUs with its Corps of Engineers Districts, in conjunction with their permitting program. In addition, the Region has developed two Interagency Agreements (IAGs) with FWS to increase enforcement presence in those targeted areas, and has entered into an IAG with NRCS to provide enforcement case support via soils identification. Square footage of wetlands/waterways restored to their original conditions will indicate program success and will be represented on Case Conclusion Data Sheets (CCDS) as documentation of informal or formal enforcement actions. The program will also continue its geographic targeting initiative of southern Delaware, Northeast Pennsylvania and the eastern panhandle of West Virginia.



**Strategies, Tools and Measures**

Strategies- Wetlands	Tools/Programs	Region-Specific Measures
Wetlands staff will attempt to ensure that impacts to wetland areas are minimized.	Wetlands staff will acquire compliance utilizing voluntary compliance, training and enforcement.	Square footage of wetlands/ waterways protected or restored to their original condition; utilization of Supplemental Environmental Projects (SEPs) to restore/enhance wetlands and create wetland mitigation projects.

Emergency Planning and Community Right to Know Act (EPCRA)- 302-312/Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)- 103

**Current State/Major Problems to be Addressed**

An initiative which began in FY 2003 to maximize compliance will continue to be implemented in FY 2004/2005 including joint inspections with the Risk Management Plan (RMP) for chemicals common to both EPCRA and RMP, and conducting RMP inspections as part of Region III's role in domestic preparedness and response. In particular, Region III will continue to conduct joint inspections for common chemical based initiative for accidental chemical releases where the reportable quantity for chemicals common to both EPCRA and RMP are exceeded. These inspections will occur at any facility throughout the region, to ensure compliance with both emergency and hazardous chemical inventory submissions to state and local emergency responders and RMP submissions. There are thousands of facilities to assist and monitor to improve compliance.

**Strategy Highlights**

The Region will implement two new initiatives to maximize risk reduction: (1) an RMP non-filer enforcement strategy and (2) an outreach program to water and wastewater treatment facilities regarding chlorine handling. In particular, Region III will continue to conduct joint inspections for common chemical based initiative for accidental chemical releases where the reportable quantity for chemicals common to both EPCRA and RMP are exceeded. These inspections will occur at any facility throughout the region, to ensure compliance with both emergency and hazardous chemical inventory submissions to state and local emergency responders and RMP submissions.

During inspections, staff will be distributing EPCRA/CERCLA/small business information, and a new security information booklet suggesting steps facilities can take to protect their facility, their products, and the community around them. Finally, press releases on enforcement actions and coordination with state and local counterparts of

activities in each of the respective states will continue to be utilized as a tool to provide program information.

### **Strategies, Tools and Measures**

<b>Strategies- EPCRA/CERCLA</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
Region III will continue joint inspections for common chemical based initiative for accidental chemical releases where the reportable quantity for chemicals common to both EPCRA and RMP are exceeded.	Joint inspections will occur at facilities throughout the region to ensure compliance with both emergency and hazardous chemical inventory submissions to state and local emergency responders and RMP submissions.	Number of facilities inspected.
EPCRA staff will bring facilities into compliance with EPCRA/CERCLA/RMP requirements, and will quickly act to penalize facilities for failure to notify/submit plans.	EPCRA staff will conduct inspections, review submissions and evaluate RMPs submitted by regulated universe.	Number of facilities subject to enforcement action.

### **Risk Management Program, Clean Air Act (CAA) Section 112(r)**

#### **Current State/Major Problems to be Addressed**

The Risk Management Program is only effective if facilities submit the required plan to EPA and identify themselves as being subject to the regulations. The extent of facilities that have not been identified and are not in compliance was unclear to the regional program. In 2003, the Risk Management Program started an initiative to identify potential Risk Management Plan non-filers in the region and to take appropriate enforcement action. The goal of the initiative is to ensure facilities handling hazardous substances are operated in a safe manner.

#### **Strategy Highlights**

This initiative will involve using available databases and information to identify potential facilities in Region III that may need to file a Risk Management Plan with EPA. Once a facility is identified, the program issues an information request letter to determine whether the regulations are applicable. Appropriate enforcement actions would be taken if violations are found. The Region is coordinating with the federal, state and local authorities to gather background information and to focus activities.

Strategies-RMP	Tools/Programs	Region-Specific Measures
Region III will identify RMP non-filers as part of the new initiative, quickly bring them into compliance and penalize facilities for failure to submit plans.	Staff will gather information, review submissions, and evaluate RMPs to support enforcement cases.	Number of facilities subject to enforcement action.

### Emergency Planning and Community Right To Know Act (EPCRA)- 313

#### **Current State/Major Problems to be Addressed**

The TRI data release lists of those facilities that release high levels of certain pollutants. An indicator of the current status for this program would be the pounds of toxic chemicals released into the environment, as reported in the TRI database. According to current TRI data, facilities in the Mid-Atlantic Region cut toxic chemical releases to the environment by more than 50 percent since 1998 based on the original list of chemicals and industries. The addition of seven new industry sectors in 1998 resulted in a 47 percent increase of the annual totals from 243 million pounds of toxic chemicals in 1997 to 472 million pounds of toxic chemicals in 1999. In 2000, those totals dropped to 465 million pounds of toxic chemicals. New thresholds that took effect for reporting purposes in 1999 triggered a dramatic increase in number of reporting facilities for persistent bio-accumulative toxic (PBT) chemicals reportable for 1999.

#### **Strategy Highlights**

The program will focus its enforcement efforts toward identifying non-reporters, late reporters, and inaccurate reporters by means of compliance and data quality inspections and core program inspections. Inspection targets (both non-reporting and data quality) will be selected among facilities in major cities, since major cities are the region's most significant source of EJ areas. Such cities include Baltimore, Philadelphia, Erie, Richmond, and Pittsburgh. In the past, several viable inspection targets and subsequent violations have been identified in these cities. Thus, it is anticipated that more such facilities warrant an inspection. The types of industries that have been traditional violators include companies operating in the furniture, food products, and stainless steel processing industry sectors. The program will continue to emphasize these industries as well as facilities in the chemical industry.

Region III will utilize Envirofacts, Harris Directory, information gathered by other programs, and telephone screening to identify inspection targets. We will issue press releases on enforcement actions and continue to adhere to the consultative process by informing the states in advance of pending actions.

**Strategies, Tools and Measures**

Strategies- EPCRA-313	Tools/Programs	Region-Specific Measures
Program staff will ensure accurate reporting of toxic chemicals released into the environment.	Compliance monitoring, Program inspection and enforcement actions.	1) Number of inspections tracked in the FIFRA Toxics Tracking System (FTTS). 2) Enforcement actions initiated/resolved. 3) Pounds of pollutants reduced, as tracked in TRI and/or CCDS.

**Resource Conservation and Recovery Act (RCRA)**

**Current State/Major Problems to be Addressed**

The areas highlighted for FY 2004 in the RCRA program include addressing significant noncompliance (SNC)/ Watch List facilities in all programs. OECA and the Region will refine the watch list to clearly identify the most egregious violators and the Region will be addressing long standing instances of SNC. Region III plans to include continued participation in headquarters initiatives, including the foundry sector, and investing in wood treaters and preservers.

The Region will continue to invest in core program activities, such as inspection of federal facilities and transportation, storage and disposal facilities (TSD), along with appropriate enforcement follow-up in response to violations identified. The program is also committed to ongoing cases in litigation, including a number of multi-facility enforcement actions in the USED program, as well as taking prompt action against operators of underground storage tanks that may pose an imminent and substantial threat to health and the environment.

**Strategy Highlights**

Region III has recently begun using a multi-facility approach to address suspected violations in the UST program. When patterns of violations are observed at facilities owned and/or operated by the same entity, the Region attempts to address all potential violations of this entity through a single enforcement action. Region III will also ensure that prompt action is taken against operators of underground storage tanks that may pose an imminent and substantial threat to health and the environment.

**Strategies, Tools and Measures**

<b>Strategies- RCRA</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
Program staff will address SNC/Watch List facilities, as well as assuring compliance by other regulated facilities.	Inspections and enforcement actions; state program support coordination and oversight.	Number of enforcement actions issued/resolved or resolution of actions in a timely and appropriate manner.
Program staff will continue participation in headquarters initiatives, including the foundry sector (a statistically valid non-compliance initiative), and investing in wood treaters and preservers.	Inspections and enforcement actions.	Number of enforcement actions issued/resolved.
Multi-facility approaches to violations in the UST program will be considered when patterns of violations are observed at facilities owned and/or operated by the same entity.	Program staff will attempt to address all potential violations of this entity through a single enforcement action, often involving self-disclosure by the violating entity.	Number of multi-facility settlements issued/resolved.

**Toxic Substances Control Act (TSCA)- Lead****Current State/Major Problems to be Addressed**

The National Health and Nutrition Examination Surveys (NHANES) lead report tracks blood-lead levels in the United States. Nationally, lead is one of the worst environmental hazards, that continues to plague children despite drops in blood-lead levels (BLLs). NHANES has documented a substantial decrease in BLLs among young children. The NHANES II report covering the years 1976-1980 reported a geometric mean BLL of 15 up/dl among children aged one to five years of age. The most current data shows that geometric mean BLLs continue to decrease in young children.

**Strategy Highlights**

Compliance monitoring activities will continue to be the focus of the Environmental Programs and Management (EPM) funding to support lead-based paint inspections. Region III received \$146,000 to fund Senior Environmental Employment inspectors to determine compliance with the Real Estate Disclosure Rule (the "1018 Rule"). One compliance tool the lead program will continue to use is the Inspection Conclusion Data Sheet and the newly revised Supplemental A form to capture the results of the compliance monitoring activities, including compliance assistance provided during the inspections. The areas to be addressed in the Mid-Atlantic Region will be Reading, York and Pittsburgh, Pennsylvania; Virginia Beach, Williamsburg and Richmond, Virginia; and the City of Baltimore and Montgomery County, Maryland.

These areas are selected based on the tips and complaints received, alleged “bad actors,” elevated blood lead levels in children and EJ areas.

The expected outcomes of the inspections/enforcement are to create a deterrence to noncompliance; to educate the regulated community about their responsibility under the law; to educate the public about their rights under the law; and to issue the appropriate enforcement action to violators. Region III will implement the national performance measures. Region III is committed to continue responding to tips and complaints; performing inspections; and developing enforcement actions for alleged violations. The Region will also continue to negotiate lead abatements in lieu of penalties through case settlements so that future residents will be protected and the Region continues to adhere to the consultative process in which states are fully informed of enforcement actions in advance. The states and local health departments will continue to assist Region III by referring tips and complaints to the regional office for Section 1018 and Section 406 alleged violations. In addition to performing inspections, issuing enforcement actions, providing compliance assistance, encouraging the use of compliance incentives, and building state capacity, the TSCA Lead program will also issue press releases and create partnerships with organizations to meet the objectives of this strategy.

### Strategies, Tools and Measures

Strategies- TSCA- Lead	Tools/Programs	Region-Specific Measures
Program staff will endeavor to reduce the BLLs of young children.	Program inspection and enforcement actions.	Number of inspections tracked in the FIFRA Toxics Tracking System (FTTS); number of enforcement actions taken/resolved.
Disclosure Rule violations to be coordinated with state programs.	Program inspection and enforcement actions.	Number of homes abated (i.e., window replacement) as a result of an enforcement action.
Compliance with TSCA Lead requirements will be assured.	Program inspection and enforcement actions.	1) Number of target housing affected; number of homes abated (i.e., window replacement). 2) Number of individuals that come into compliance. 3) Number of enforcement actions taken/resolved.

Polychlorinated Biphenyls (PCBs)**Current State/Major Problems to be Addressed**

The PCB Transformer database provides a list of facilities that are registering their PCB transformers as an indicator of activity. Other indicators include: number of PCB transformers and capacitors disposed of properly and acres of PCB contaminated property remediated. Existing data shows a decline of PCB transformers and capacitors registered since 1998 (1998 - 123 registered units; 1999 - 21 registered units; 2000 - three registered units; and 2003 - one registered unit). Current data for disposal of PCB transformers shows the following: 1999 (322), 2000 (223), 2001 (no data), and 2002 (302). PCB disposal data shows generally a declining trend since 1999: 1999 (175,838 kg), 2000 (73,477 kg), and 2002 (77,557 kg).

**Strategy Highlights**

Region III is committed to continue responding to tips and complaints; perform inspections; and develop enforcement actions for alleged violations. The Mega Rule has generated the submission of a number of self-implementing PCB clean-up plans. In order to ensure that clean-ups were done properly, Region III will conduct inspections at those sites where plans were approved and completed. Inspections will be conducted at permitted storage and disposal facilities. In addition, the Region will continue to address all PCB matters pertaining to state voluntary clean-up programs and state lead sites, and provide technical assistance and support, as appropriate, as these matters arise.

The Region will perform compliance inspections, responding to tips and complaints and self-disclosures. Where possible, the retirement of PCB transformers will be promoted through SEPs. The focus of inspections will be permitted storage and disposal facilities and PCB clean-up sites. Press releases will be issued on enforcement actions and the Region will continue to adhere to the consultative process by informing the states in advance of pending actions. The PCB Transformer Registration Database and National Response Center Spill Reports will be used to identify the PCB universe. In addition to performing inspections, issuing enforcement actions, providing compliance assistance, encouraging the use of compliance incentives, and building state capacity, the TSCA PCBs program will also issue press releases and create partnerships with organizations as ways to meet the objectives of the above strategy.

**Strategies, Tools and Measures**

Strategies- PCBs	Tools/Programs	Region-Specific Measures
Program staff will assure compliance of PCB regulated facilities.	Program inspection and enforcement actions.	Number of inspections tracked in the FIFRA Toxics Tracking System (FTTS).

Toxic Substances Control Act (TSCA)- Asbestos

**Current State/Major Problems to be Addressed**

Based on regional compliance monitoring over the last several years, it appears that approximately 20-30 percent of the schools inspected are not in compliance in some way with AHERA. The non-complying schools tend to fall into two distinct groups: previously compliant schools in existence in 1988 that are now non-compliant and newer schools apparently unaware of AHERA requirements.

**Strategy Highlights**

If continued non-compliance occurs after the program's efforts in compliance assistance and outreach to inform schools of their compliance obligations under AHERA, the Region will take followup enforcement actions where indicated.

**Strategies, Tools and Measures**

<b>Strategies- TSCA- Asbestos</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
Address the 20-30 percent non-compliance rate in schools.	A combination of compliance assistance and outreach to advise schools of compliance obligations under AHERA, and negotiation with those entities for compliance schedules.	Number of schools returned to compliance.
Assure compliance with AHERA and MAP requirements by local education agencies.	Compliance monitoring, inspections and enforcement action.	1) Number of inspections performed. 2) Number of enforcement actions initiated/resolved.

Clean Air Act (CAA) Asbestos National Emission Standards for Hazardous Air Pollutants (NESHAPs)

**Current State/Major Problems to be Addressed**

Compliance rates are difficult to measure in the Asbestos NESHAPs program given the nature of this business. Despite the number of inspections conducted by the Region and states at asbestos removal sites, the Region continues to receive reports that contractors routinely conduct dry abatements. However, it is difficult to find this during inspections since many contractors have apparently adopted practices designed to evade detection of violations by inspectors.

**Strategy Highlights**

The asbestos NESHAPs program is delegated to the states and therefore the bulk of the compliance monitoring activity will be at the state level. The Region will continue state oversight as well as conducting its own compliance monitoring and enforcement program.



### Strategies, Tools and Measures

Strategies- CAA Asbestos NESHAPs	Tools/Programs	Region-Specific Measures
Program staff will ensure that asbestos abatement actions will be performed appropriately.	In addition to state oversight, program staff will also perform inspections and conduct enforcement actions.	Compliance rate among contractors, number of inspections, and number of enforcement actions.

### Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

#### **Current State/Major Problems to be Addressed**

There are indications that workers are exposed to pesticides more often than previously thought, making increased attention to worker safety issues increasingly important. Additionally, the antimicrobial testing program is currently finding that upwards of 30 percent of products used for such things as hospital disinfectants do meet their efficacy claims. Region III has seen some increase in the number of imports involving products for which the registered sources have changed.

- Worker safety: Several of the Region III states do not agree that WPS requires attention. As a result the Region has had difficulty getting some states to commit to inspections beyond those specifically paid for with EPA grant funding. Because of this, the number of WPS inspections conducted by states like Pennsylvania is relatively small as compared with their size.
- E-Commerce: Headquarters has thus far elected to keep much of the initial planning and implementation in-house. To date, Region III has not received any referrals from headquarters for this initiative. Success will depend on the Region's ability to receive referrals in a timely manner so that the evidence supporting the referral is not stale and so that this additional work can be integrated into existing regional workloads.
- Antimicrobial Testing Program: Will largely be a joint state/EPA effort with the states being primarily responsible for conducting inspections and collecting samples while the Region will pursue the cases that arise from state inspection and sampling activities.

#### **Strategy Highlights**

Because of the need for increased attention to worker safety issues, the Region will be, in conjunction with the states, performing WPS inspections. In addition, the regional staff will act on referrals from headquarters for the e-Commerce initiative, provided the referrals are received in a timely manner so that the evidence supporting the referral is not stale. Finally, the Antimicrobial Testing Program will largely be a

joint state/EPA effort with the states being primarily responsible for conducting inspections and collecting samples while the Region will pursue the cases that arise from state inspection and sampling activities.

### Strategies, Tools and Measures

Strategies- FIFRA	Tools/Programs	Region-Specific Measures
Worker safety: Minimize exposure of workers to pesticides.	The Region will use a combination of state capacity building, oversight, compliance assistance, direct program delivery, and enforcement.	1) Number of worker protection inspections conducted. 2) Number of enforcement actions taken.
E-Commerce: Will primarily be direct program delivery and enforcement by the Region, although states will cooperate by forwarding websites of concern.	The Region will use a combination of state capacity building, oversight, compliance assistance, direct program delivery, and enforcement.	Number of enforcement actions taken.
Antimicrobial testing program: Will largely be a joint state/EPA effort with the states being primarily responsible for conducting inspections and collecting samples while the Region will pursue the cases that arise from state inspection and sampling activities.	The Region will use a combination of state capacity building, oversight, compliance assistance, direct program delivery, and enforcement.	1) Number of on site inspections conducted. 2) Number of enforcement actions taken.
Label enforceability: Will again be a joint state/EPA effort with states conducting the vast majority of market place inspections to discover problematic labels while EPA facilitates the entry of problematic labels information into a regional database system.	The Region will use a combination of state capacity building, oversight, compliance assistance, direct program delivery, and enforcement.	Identification of outcomes and outputs for label enforceability (this area is still under development by headquarters and regional workgroups).

Strategies- FIFRA	Tools/Programs	Region-Specific Measures
Unregistered Sources/Product Integrity: Tools and approaches will be developed as part of a headquarters and regional work group.	The Region will use a combination of state capacity building, oversight, compliance assistance, direct program delivery, and enforcement.	Identification of outcomes and outputs for unregistered sources and product integrity (this area is still under development by headquarters and regional workgroups).

### Multi-Media

#### **Current State/Major Problems to be Addressed**

In the Region, inspectors specialize in a given environmental program or regulatory program and work collectively to inspect a facility. In addition to the multi-media inspectors preparing for and executing inspections, attorneys are on the team from its inception. Therefore, the multi-media inspection team consists of EPA inspectors with strong single environmental program skills and legal resources. Given this combination, multi-media inspection teams often find pollution moving unnoticed and unregulated through the various programs.

The movement of a pollutant between media boundaries (i.e., water to air, soil to water, etc.) was observed initially by field inspectors. Frequently, the study of how a chemical moves through one media to another is termed the “environmental fate” of the pollutant. The Region’s concerns differ from the concept of environmental fate in that media shifting is generally concerned with the first order media transfer which may not always be the environmental fate of the chemical. Accordingly, the Region identified those industries which utilize the chemicals of concern predominantly, and determined which industries then have a likelihood for pollutant transfer. As a result, the Region identified the plastics manufacturing sector for an integrated strategy.

Another large enforcement initiative is the follow-up to a compliance incentive program involving prisons in Virginia. During FY 2002, letters were sent to all of the prisons located in Virginia, encouraging them to audit their facilities and then to self-disclose any violations in order to take advantage of discounted penalties provided under the Audit Policy. Forty-two letters were sent on August 1, 2002 and the prisons had until October 31, 2002 to audit and disclose any violations. To date, only one facility (the Federal Correctional Center in Petersburg, Virginia) has responded to the mass mailing with a self-audit and a disclosure. As a result, one state prison (Greensville Correctional Center) was inspected in May 2003, and significant non-compliance was found in several media which was subject to an administrative complaint issued in September 2003. Subsequently, inspections at twenty other facilities were initiated by a contractor on the Region’s behalf, and similar non-compliance was observed.

### Strategy Highlights

The integrated strategy to be implemented for the plastics sector includes: (1) a communication strategy to industry and trade associations; (2) a voluntary program and compliance assistance component; (3) a self-audit initiative; and (4) a traditional multi-media compliance inspection program. Region III, in cooperation with the National Enforcement Investigations Center, plans to conduct four multi-media inspections at plastic manufacturing facilities. These inspections will predominantly focus on the plastic foam products manufacturing facilities (SIC Code 3086) or plastic products not elsewhere classified (SIC 3089). In addition, the Region plans to conduct multi-media inspections at facilities outside these SIC codes which use and/or release the chemicals of concern.

With regard to the prison strategy, and while a complaint has been filed regarding the Greensville Correctional Center, it is anticipated that a multi-site agreement will be pursued by Region III to correct the non-compliance at the other state facilities. In fact, resolution of the complaints issued and to be issued in Virginia could be followed with the performance of a Supplemental Environmental Project that would educate all prison facilities in Virginia of their environmental requirements.

### Strategies, Tools and Measures

Strategies- Multi-Media	Tools/Programs	Region-Specific Measures
Identify and address pollutant transfer in the plastics sector.	Use of an integrated strategy, including outreach and compliance incentives with followup investigation and enforcement action.	1) Number of enforcement actions. 2) Pounds of pollutants reduced from release to the environment; number of facilities that do not shift pollution.
Bring Virginia prisons into compliance with all environmental requirements.	Use of enforcement tools, including multi-site agreements, or individual agreements addressed through an expedited enforcement action.	Number of prisons addressed through a single action, or through multiple enforcement actions.

### Federal Facilities

#### Current State/Major Problems to be Addressed

Environmental protection is defined in part by a robust enforcement program including multi-media inspection, monitoring, and compliance assistance activities. Regional multi-media inspection targeting will focus on areas of known high non-compliance and or environmental impact. Compliance monitoring activities include conducting compliance inspections and investigations, record reviews and responding to citizen complaints. Regional and National priorities will dictate targeting for

compliance monitoring and enforcement activities. Facilities located near environmental justice areas and the Chesapeake Bay will be more likely candidates for inspections, as will the Department of Veterans Affairs, Post Office Vehicle Maintenance and National Park Service facilities, which have been identified as target sectors; transient drinking water systems and classified federal facilities will also be more likely candidates for inspection.

Federal facilities compliance monitoring and enforcement activities include assuring compliance with all regulatory programs, as well as performing RCRA 6002 inspections will be required for all federal facility multi-media inspections. The core program requires two multi-media inspections at federal facilities.

Enforcement actions will be taken to correct violations discovered, as well as to promote compliance and encourage behavior change and pollutant reductions; actions will comply with appropriate Program Enforcement Response Policies and/or Timely and Appropriate or National Significant Issues Guidances. Indicators of environmental protection include the number of enforcement actions taken (where enforcement action is defined by a range of actions from inspections to judicial referral) and the number of permit applications submitted by a facility. Enforcement actions taken will result in a measurable reduction of the pollutants emitted, discharged or released, or the regulated entities making improvements to environmental management practices. Pollutant reductions and compliance assistance will be tracked by completed case conclusion and inspection conclusion data sheets. Areas of focus for enforcement efforts will include, but not be limited to, facilities that have demonstrated significant non-compliance (SNC) including facilities named to OECA's Watch List.

Collaborative partnerships with the states and local authorities are essential to the Region's mission of protecting our citizens' health and the environment. Region III is firmly committed to maintaining an effective on-going consultation and communication with its states; the Region ensures that established process and procedures for notification of inspections and enforcement actions in authorized and non-authorized programs, pursuant to the "no surprises" policy, is followed. Furthermore, the Region will be participating in OECA's State Program Review that will develop a methodology to consistently evaluate the outcomes and results of state compliance and enforcement programs.

### **Strategy Highlights**

Regional priorities will dictate targeting for compliance monitoring and enforcement activities. Facilities located near environmental justice areas and the Chesapeake Bay will be more likely candidates for inspections, as will the Department of Veterans Affairs, Post Office Maintenance and National Parks Service facilities, which have been identified as target sectors. Federal facilities compliance monitoring

and enforcement activities include assuring compliance with core program requirements, incorporating a drinking water evaluation in all multi-media inspections, as well as performing RCRA 6002 inspections, will be required for all federal facility single program RCRA inspections as well as multi-media federal facility inspections.

**Strategies, Tools and Measures**

<b>Strategies- Federal Facilities</b>	<b>Tools/Programs</b>	<b>Region-Specific Measures</b>
Federal facility compliance in identified sectors will be achieved.	Inspections and enforcement actions will be conducted.	Number of enforcement actions taken.

## **Chapter 3 - Cross-Cutting Strategies**

Many of Region III's efforts contribute to progress toward all five Agency goals. These efforts include: strengthening partnerships with states, improving the quality and availability of the environmental and health information on which decisions are based, and improving management systems to achieve better results. This cross-Agency, cross-media work includes support functions, such as administrative and financial management or legal services, and the strategies or means employed to help accomplish objectives, such as information management.

Each of these efforts is a significant component of the Region's work and plays a critical role in accomplishing regional goals. This chapter highlights a few of these cross-goal strategies: Partnerships, Information, Innovation, Human Capital, Homeland Security, Grants Management, and Science.

### **Partnerships**

This cross-cutting section highlights some unique federal, state, and local agency partnerships across the Mid-Atlantic Region. These partnerships unite parties according to the *enlibra* doctrine of balance, which is composed of eight principles that encourage collaboration, rather than polarization by various parties. This balanced, cooperative approach supports the initiative to establish an inclusive Collaborative Network of Environmental Teamwork (CNET).

#### **Mid-Atlantic Integrated Assessment (MAIA)**

In 1995, the EPA Office of Research and Development (ORD) formed a partnership with EPA Region III to implement a research, monitoring, and assessment project in the Mid-Atlantic Region entitled MAIA. As a result of MAIA's implementation, partnerships with federal, state and local governments; Non-Governmental Organizations (NGOs); and academic institutions have been formed. MAIA's use will yield integrated scientific knowledge to support the environmental decision-making process for the Mid-Atlantic Region. This is accomplished by the development and implementation of multi-scale monitoring designs, scientific tools, and high-quality data.

The MAIA project has produced an array of useful products on the ecological condition of estuaries, streams, groundwater, and landscapes. In the future, the partnerships created by MAIA will build on this foundation and create an arena in which innovative approaches for environmental assessment and management can be proven, implemented, refined, and, subsequently, communicated and transferred not only to MAIA partners and alliances, but also to other EPA regions; federal, state, and local agencies; academics; NGOs; the public; and other stakeholders.

#### Mid-Atlantic Regional Asthma Initiative (MARAI)

MARAI is a stakeholder driven initiative involving a vast array of Mid-Atlantic professionals, organizations, and educational institutions with a vested interest in asthma. As a result of the MARAI, many partnerships have developed not only among federal agencies, such as the U.S. Department of Health and Human Services, but also among various asthma stakeholders from around the Mid-Atlantic Region. As part of this collaborative effort, MARAI has enhanced existing asthma programs as well as launched numerous projects to address indoor and outdoor environmental triggers and the management of asthma. Activities have included a number of special events, media outreach, public education, and communications. For example, for the past three years, MARAI has joined forces with the City of Philadelphia's Department of Public Health and held events in observance of World Asthma Day (WAD). Over 200 schoolchildren have participated and been educated on the management of asthma.

#### Mid-Atlantic Federal Partners for the Environment (MAFPE)

The MAFPE was created in 1999 to establish a framework for cooperation among the federal agencies whose missions are specific or related to environmental protection efforts in the Mid-Atlantic states. At a Regional Administrator level, the agencies meet twice yearly and work together and with the states, tribes, local governments, and other parties toward a more integrated and comprehensive approach to the management, conservation, restoration, and protection of the natural resources of the Mid-Atlantic states. This cooperation is carried out through implementing respective agency policies; watershed studies; state, local and tribal projects; and through sharing data and resource management methods. There is an active committee on smart growth that meets quarterly and holds monthly conference calls to assist with decision making for natural resources. In the future, the group will be discussing wind power; urban rivers; health of sensitive populations; and the Delaware River Basin.

#### Federal Agencies Committee (FAC)

The FAC was established by the Chesapeake Bay Program in 1984 and is chaired by the Director of the EPA's Chesapeake Bay Program Office to represent federal policies in the Chesapeake Bay Program. The committee is composed primarily of representatives of federal agencies that own land in the watershed and/or have missions that impact water quality or living resources of the Bay and its tributaries. To date, 15 federal agencies have formal agreements with the EPA, which have made them partners in the Bay Program. Additionally, some agencies without formal agreements participate in the program through membership on the committee. In total, there are 21 federal agencies currently represented on the FAC, such as the U.S. Geological Society, the National Park Service, and the U.S. Department of Agriculture.

The committee advises the EPA, which represents all federal agencies as the sole federal signatory to the Chesapeake Bay agreements, and is the only federal member of the Chesapeake Executive Council. The committee also advises the Implementation Committee and its subcommittees and workgroups on federal opportunities and viewpoints. The committee initiated the 1994 Agreement of Federal Agencies on Ecosystem Management in the Chesapeake Bay,



which was updated in 1998. This agreement set out a number of specific goals and commitments by federal agencies on federal lands throughout the watershed, as well as new cooperative efforts elsewhere.

### **Information**

The Agency's three-prong approach to information governs the way information is collected, managed, and analyzed in the Agency. The approach includes: (1) improving analytical capability; (2) governing information technology and management across the Agency; and (3) promoting excellence in information delivery. The Region plans to implement these goals by establishing best practices for managing data to support the development of environmental indicators and partnerships, thus improving analytical capability as well as using electronic communications and software tools to improve excellence in information delivery.

Region III is in transition as it begins to develop and integrate environmental indicators across programs and promote the use of new technologies. These efforts will help improve internal efficiency, minimize redundancies, and identify opportunities to leverage activities across programs. Region III is currently defining best practices for managing indicator information through the establishment of indicator measurement frameworks to analyze and track trends in environmental outcomes. These frameworks help to organize indicators for large scale initiatives with multiple partners, such as the Schuylkill Action Network and the Delaware Estuary Program, by linking administrative activities to environmental outcomes, thereby minimizing duplication and improving access and communication. Another tool, storyboards, will assist in visualizing large amounts of information to improve data analyses and decision making.

The Region is also addressing the Agency's need for consistent standards and excellence in information delivery by working to build the Region's information management capacity to realize the full benefits from new technologies. These activities address the Agency's e-Government Strategy to meet the demand for reliable, quality environmental information. Plans include the improvement of web services related to programmatic needs, including watershed and document management and geospatial mapping and visualization. Redundancies in tool development will be minimized through consolidation or improving compatibility among various information systems as well as developing an integrated web service.

The Region maintains technical support for information and telecommunications network infrastructure, including the configuration of networks in Philadelphia, Pennsylvania; Wheeling, West Virginia; Annapolis, Maryland; and the Environmental Science Center at Fort Meade, Maryland. Additionally, the Region maintains an information security program and associated plans that enhance protection of the Agency's information holdings. The Region will work on various infrastructure upgrades to assist in meeting the Agency's infrastructure initiative by

enhancing delivery and management of the tools – the network, platform, and software - used to manage information. Projects that will enhance infrastructure include using the Agency's remote access solution to standardize regional remote access techniques; completing the upgrade of the Region's Storage Area Network (SAN) to centralize, standardize, and enhance data management abilities; and completing and activating the Region's Continuity of Operation Planning site in Boothwyn.

The Regional Center for Environmental Information participated in a national library study that was recently undertaken by the Office of Environmental Information (OEI) to develop a business case for libraries and the information services they provide to and for the Agency. The study addresses several issues: the current state of information services; the cost/benefit of current library operations in EPA's regional offices and centers; a conceptual approach for strengthening the network to improve services; and recommendations for next steps. The business case is considered a starting point for defining the future role of the regional libraries.

### **Innovation**

Region III seeks to create a culture of innovation that promotes original, inventive approaches to solving environmental problems. A critical element of the Region's innovation strategy involves close, ongoing EPA/state coordination to jointly determine environmental priorities. The following activities include Region III's innovation commitments, as well as other innovation projects planned or currently underway in the Region.

Through enhanced media-specific planning activities, the Region will work with its state partners to identify opportunities to facilitate state innovation initiatives and/or joint EPA/state innovation activities. In the Region, high priority environmental problems are: greenhouse gases; smog; degrading water quality; and deteriorating water infrastructure.

Programs such as the Joint State/EPA Agreement to Pursue Regulatory Innovations and the State Innovations Grant Program will enable Region III to develop innovative pilot projects that offer the potential for larger scale transferability. The Region will work closely with state partners to identify appropriate opportunities to investigate alternative regulatory approaches to environmental protection.

Region III is implementing a comprehensive strategy to promote the use of the Environmental Management Systems (EMSs) to accomplish environmental goals. Building on the EMS activities and ISO 14001 registration of the Region's laboratory at Fort Meade, the Region has developed an EMS for the 1650 Arch Street facility and has built a core internal EMS expertise through training. The strategy identifies opportunities for partnering with states to develop EMSs for state facilities, as well as assisting states to build their EMS expertise and capacity. A final component of the EMS strategy is a process to evaluate the Region's EMS

relative to environmental performance, cost, and other associated benefits of an organization implementing an EMS. The Region plans to obtain ISO 14000 certification in the coming year.

Region III will focus on increasing membership value for current and future performance track members by negotiating a Memorandum of Agreement (MOA) with each Region III state to coordinate program implementation and delivery of regulatory incentives. In addition, the Region will establish a performance track members network through which special events and workshops for members will be held and will work with state partners to identify Region-only incentives.

### **Human Capital**

As part of the President's Management Agenda, the Office of Personnel Management (OPM) is leading the federal government's Strategic Management of Human Capital Initiative. New Human Capital Standards for Success developed jointly by OPM, the Office of Management and Budget (OMB), and the General Accounting Office (GAO), provide the foundation for this initiative.

Senior leaders from headquarters and regional offices are developing a human capital strategy to address OPM's Human Capital Standards for Success. The Region will be contributing to this strategy by implementing the following:

#### **Managing Leadership and Knowledge**

The Region will be holding a retreat for all managers and supervisors scheduled for FY 2004. Two major training components, the draft Region III Management Development Program (MDP) and a "State of the Workforce" report addressing a review of regional disciplinary and performance numbers, trends, and demographics, will be presented. Managers will have an opportunity to provide feedback on the draft during breakout sessions. The Region will also be discussing Succession Planning and the impacts of the early-out and buy-out retirement options for the Region.

#### **Recruiting and Retaining Talent**

In light of changing Agency priorities, the growing number of senior managers and employees eligible for retirement, and the increasingly competitive market for individuals with desirable or unique skills, EPA's human capital strategy emphasizes recruiting and retaining creative and talented people.

Region III continues to use its Hiring and Promotions Safeguards program to ensure fairness and objectivity in job design; recruitment strategy; candidate pool identification; and candidate interviewing and selection. Region III's Hiring Safeguards Team redesigned the hiring and promotion processes followed in the Region. The innovative "Promotion and Hiring

Safeguards” incorporate checks, balances, and information sharing prior to the hiring or promotion decision and encourage hiring officials to consider a broad and diverse pool of candidates. The Region has received excellent feedback from its hiring supervisors and employees affected by the new procedures.

#### Ensuring Accountability

Region III ensures accountability by promoting continuous learning. In FY2004, team leaders and managers attended the Agency-sponsored Civil Rights Training. As in years past, Region III managers and staff participated in a local Federal Executive Board sponsored Equal Employment Opportunity/Diversity Day of Training in Philadelphia.

### **Homeland Security**

#### Critical Infrastructure Protection

The emergency response and removal program is a critical regional component for protecting two of the Nation’s critical infrastructure sectors: the Water Sector and the Chemical Industry and Hazardous Materials Sector. The Region will work with the states, drinking-water and waste-water facilities, and other local responders to enhance the security of water and wastewater facilities. For example, the Region has worked closely with the District of Columbia’s water and wastewater utilities on system security issues and is assisting other utilities in the surrounding metropolitan area. The Region has contributed to efforts of the water protection task force at the national level and collaborates on an ongoing basis with state and utility partners. This is important in protecting public health against, or responding to, chemical or biological sabotage of drinking water systems.

#### Preparedness, Response, and Recovery

The Region’s response program will be prepared to respond to and recover from a major terrorist incident. In doing so, the Region will understand the roles, responsibilities, authorities, and capabilities of its partners across the government and private sector. For example, the Capitol Hill and Brentwood Post Office cleanups demonstrate how Region III has been able to coordinate a response to a biological attack. In this area, working with first responders is critical to minimizing the impact of any weapon of mass destruction. Closer cooperation with law enforcement and public health officials will be a high priority over the next three years. The numbers of exercises with local responders and local medical personnel are to be increased.

#### Communication and Information

The Region will use reliable environmental information to ensure informed decision-making and expedited response actions. In addition to sending effective and timely information to all pertinent levels of government, industry, and the public concerning a response, the Region will also exchange information with the national security community to prevent, detect, deter, and respond to any terrorist threats or attacks.

### Protection of EPA Personnel and Infrastructure

Region III's On-Scene Coordinators (OSCs) are ready to respond to all accidental releases of hazardous substances and oil which are imminent and substantial endangerments and threats to public health and the environment. Along with state counterparts and local responders, the OSCs are on 24-hour call to prevent, stabilize, or cleanup substantial risks. Equipping OSCs with a wide range of communication technologies, continuous training in health and safety protocols, and exchanging knowledge with first responders and Federal Emergency Management Agency (FEMA) staff is essential to maintain the effectiveness of this workforce.

While accomplishing its mission as stated, Region III must safeguard and protect its staff, ensure the continuity of its operations, and maintain the operational capability of its vital information assets.

### **Grants Management**

Region III awards over \$400 million annually in grants to states, local governments, educational institutes, and not-for-profit organizations through approximately 50 programs to support the mission of the agency. To streamline the grant award process, Region III has deployed the Integrated Grants Management System (IGMS) in the grants and program offices. This system is moving the agency from a paper-based grants culture to an electronic culture by fully automating the grants process.

In Fiscal Year 2003, Region III initiated the use of the Internet-based electronic grants process through IGMS to receive grant applications and transmit grant award documents to a state agency that receives over 20 grant awards each fiscal year. This on-line processing has provided real savings in both time and paper. To realize additional administrative savings and provide flexibility to states to direct resources where they are most needed, Region III entered into two new Performance Partnership Grants (PPGs) in Fiscal Year 2003. The Region is working with its states to award additional PPGs in Fiscal Year 2004.

In accordance with the recent policy issuance on grants competition, the Region is competing all non-exempt programs in an effort to provide fair and open competition and fund better managed projects. The Region is also conducting post award management activities in accordance with the policy on compliance, review, and monitoring to identify and resolve recipient non-compliance issues. As a result of these reviews, the importance of pre-award assistance and reviews will be emphasized.

Region III received a large portion of grant funding for the national watershed protection initiative in its first year of inception for four regional priority watersheds. The Christina River,

Dunkard Creek, Upper Tennessee River, and Upper Susquehanna River Watersheds collectively received over \$1.7 million dollars from this initiative to support protection and restoration activities.

## **Science**

### **The Role of Science**

EPA has identified the use of sound science and credible data as a guiding principle the Agency will follow to fulfill its mission to protect human health and environmental quality. Region III, along with its states, relies on science, technology, and scientifically defensible data and models to evaluate risk; develop and defend protective standards; anticipate future health and environmental threats; and identify and enforce solutions.

### **Doing Science**

Region III, through its scientific and technical support services, provides a solid foundation for decision making for a wide variety of environmental programs and initiatives. Scientific and technical expertise and environmental data is provided via a state-of-the-art laboratory facility and a multi-disciplinary staff of chemists, biologists, engineers, and other scientists and professionals, provides. Additionally the Region has numerous scientific and technical experts to ensure that program implementation decisions are based on sound science and research.

### **Obtaining Quality Data**

The focus is on producing quality field and analytical data necessary to make a variety of environmental decisions. Region III will continue its existing efforts to assure environmental data of acceptable quality that can be used to make sound environmental decisions by conducting laboratory evaluations and investigations; data validations; quality assurance management and project plan reviews; and managing regional quality assurance programs and analytical services and support contracts. Each state organization receiving EPA funds provides a Quality Management Plan (QMP) for EPA review and approval. The QMP describes the organization's quality assurance policies and procedures, which serve to assure that environmental data are of acceptable quality for decision making purposes. Additionally, the Region is committed to maintaining a diverse group of chemists, microbiologists, environmental scientists, and computer specialists who can assist federal agencies, state, and private organizations in planning, implementing, and assessing data collection activities.

The Region will support and facilitate the efforts of the National Environmental Laboratory Accreditation Conference (NELAC), a voluntary association of State and Federal Agencies and private organizations formed to establish and promote mutually acceptable performance standards for the inspection and operation of environmental laboratories. Through its NELAC efforts, the Region will ensure that decisions being made from analytical data have a

sound technical, scientific, and statistical basis and that laboratories deliver data of the required level of quality. Regional support includes participating and supporting the National Environmental Laboratory Accreditation Program (NELAP) efforts implementing the NELAC standards. Additionally, the Region will promote and assist with improvements in the credibility and acceptability of industry-submitted data to regulatory agencies. The Region will also promote and assist with the establishment of a uniform set of standards by which environmental data is produced across the various states, agencies and programs, promoting comparability and defensibility. Region III will participate in the NELAP Standards Gap Analyses, which will be performed by an independent third party. Additionally, the Region is focused on updating existing and old, outdated regional laboratory equipment to increase effectiveness in investigation, monitoring, and analytical activities and to maintain its state-of-the-art capabilities.

#### Science Partnerships

The Region will continue to offer environmental monitoring and technical assistance capabilities to states, local governments, and other federal agencies to assist them with evaluating and addressing problem facilities and priority geographic areas. Efforts at building individual state and local government capacity will continue through training workshops, seminars, cooperative studies, and on the job/facility-type training activities. The Region is interested in building networks with other labs within the region, especially the state and local environmental, health, and agriculture labs. Additionally, a regional priority interest is to support the establishment of a comprehensive, National Environmental Laboratory Response (NELR) network to address the Agency's responsibility for chemicals in the environment and to be ready to address any environmental and human health impacts caused by any terrorist, catastrophic, and emergency events.

The Region is actively participating in partnership opportunities with ORD and other Program Offices to make use of the latest and best science and research to facilitate decisions based on sound science. The Region is involved with ORD's Regional Applied Research Effort (RARE) program; Regional Methods Initiative (RMI); the new Regional Research Partnership Program, and the Regional Environmental Monitoring and Assessment Program (REMAP). The Region will continue to make use of its Hazardous Substance Technical Liaison (an ORD employee assigned to the Region) and its own Regional Scientist Liaison to ORD.

Apart from its ORD collaboration, Region III has an active Science Council that performs several functions, including identifying science topics that cross divisional boundaries; providing advice on emerging science policy issues; and communicating science information. Region III also has a Science Inventory/Peer Review Coordination Committee, which manages participation in EPA's Science Inventory/Peer Review database and provides guidance to staff on peer review policy. The Region III Science Council participates in the National Regional Science Council. Region III also is active in the Council on Regulatory Environmental Modeling (CREM) and the EPA Science Policy Council.

## **Chapter 4 - Regional Accountability**

Overall, the region's accountability tools are implemented through a variety of mechanisms. One of the primary accountability tools that headquarters and the Region will use through FY 2004 is the Memorandum of Agreement (MOA) between national program managers and their regional counterparts. By FY 2005, MOAs will be phased out and replaced by an on-line annual commitment system. Currently, the MOAs outline the region's performance commitments to headquarters and require the Region to send mid-year and end-of-the-year accomplishment reports to headquarters. The on-line commitment system will track progress of the Region's annual commitments towards achieving national goals.

The second tool that the Region uses to account for dollars spent by the state is the distribution of grant funds. Grants may be awarded individually or as part of an overall performance partnership agreement (PPG). In order to ensure accountability for grants there are oversight and monitoring requirements that the states must meet in order to obtain and retain the grant dollars. In accordance with the recent policy on grants competition, the Region is competing all non-exempt programs in an effort to provide fair and open competition and fund better managed projects. Post award management activities are also being conducted in accordance with the Policy on Compliance, Review and Monitoring to identify and resolve recipient non-compliance issues. As a result of these reviews, the importance of pre-award assistance and reviews will be emphasized.

The third tool that the Region employs is meeting with states to review progress over time. For example, the Air Protection Division meets with the states to conduct a mid-year review of the 105 grants to check progress and make adjustments as necessary. The Water Protection Division conducts yearly reviews of state Underground Injection Control program with each individual state. Each division may also meet to discuss particular programmatic issues that become problematic.

The Region also provides information for national program evaluations as required according to the nature of the review. The Region and states are actively involved in specific programmatic assessments conducted by HQ, the Office of the Inspector General, and the General Accounting Office (GAO). Currently Region III is actively engaged in an assessment of post-award monitoring activities and in a National Pollutant Discharge Elimination System (NPDES) integrity project. This project is an assessment of the performance and integrity of the entire NPDES program, from permitting to enforcement. The Region is developing action plans and engaging states on this assessment.

In addition to EPA program reviews, under the President's Management Agenda, federal agencies are being challenged to allocate and manage resources to achieve both measurable program outcomes and greater resource efficiencies. The Office of Management and Budget's



(OMB) expectations for this initiative are included in its Program Assessment Rating Tool (PART). PART is an accountability tool that OMB and federal agencies use to determine the strengths and weaknesses of federal programs, particularly in terms of the results that individual programs produce; it is becoming a core mechanism to gauge progress. The EPA is currently in the process of developing PART measures that capture an environmental result, (e.g. pounds of pollutant reduced) per unit of input, (e.g. FTE or dollars). These “Environmental Efficiency Measures” are currently under development at the Agency level for a variety of EPA’s programs.

The EPA has long had a vision for the active and meaningful use of environmental indicators to link EPA’s work with outcomes and to help focus on mitigating the highest risks to human health and the environment. To achieve that vision, Region III strives to integrate environmental indicators with the current planning process, the performance partnership agreements (PPAs), the geographic program goals, and individual performance standards. In addition, the Region is currently developing efficiency measures to assess the environmental return on resource investments. Good performance goals, measures and high-quality data are fundamental to accountability not only to ensure compliance with the Government Performance and Results Act, but to drive decisions toward better results. These efficiency measures will be a useful tool to target resources towards the areas of highest environmental priority.

## **Chapter 5 - Partnerships with States and Tribes**

Collaborative partnerships with the states are essential to the EPA's mission of protecting the Nation's health and environment. Region III is firmly committed to strengthening these partnerships by adhering to the principles agreed upon by the EPA and the States in 1995, and articulated in the Joint Commitment to Reform Oversight and Create the National Performance Partnership System. These principles call upon the EPA and the states to jointly set priorities; develop performance agreements to define roles, responsibilities and accountability; encourage innovation; agree upon performance measures; and jointly evaluate the results achieved. Region III does not have any tribal partners within its jurisdiction.

### **Identifying Joint Priorities**

The Region began actively engaging its states in the planning and priority-setting processes at a State Secretaries meeting in May 2002. Region III senior managers and state secretaries identified the major cross-regional environmental issues and developed mutual environmental priorities for the future. Three over-arching priorities emerged: (1) watershed restoration; (2) enhancing environmentally responsible development; and (3) reducing environmental exposure to sensitive populations, i.e. elderly and children. These priorities are reflected in this regional plan as well as in Region III's Performance Partnership Agreements (PPAs) with the states. At the most recent State Secretaries meeting in June, 2003, the joint EPA/state priorities were reaffirmed. These priorities are the foundation of current regional initiatives. For example, the joint EPA/state/basin commission TMDL Prioritization Workgroup was formed to address TMDL issues in the region as an activity under the watershed restoration priority. Establishing joint priorities has strengthened partnerships between Region III and its states and has lead to further collaboration on a variety of joint projects.

On a national level, Environmental Council of States (ECOS) and EPA, formed an Alignment Workgroup to consider the need for a higher level of collaboration and mutual cooperation between EPA and the states in developing environmental planning for the future. The workgroup also investigated opportunities for enhanced state involvement at critical points in the EPA planning and priority setting processes. All parties acknowledged and agreed that this interaction must happen earlier in the planning process and must be more substantive than it had been in the past. ECOS and EPA encouraged all states to participate in the planning process in letters sent to each state secretary and senior manager in EPA.

**ECOS Pilot Projects and Performance Partnership Agreements (PPAs)**

Three of Region III's states, Maryland, West Virginia, and Virginia, have pilot projects with ECOS to enhance environmental planning between the states and EPA. Two states within the Region, Pennsylvania and Virginia, have established PPAs with the Region. In Maryland and West Virginia, funds from ECOS pilot projects will support work to establish PPAs and will supplement PPG monies. Virginia will use a portion of the ECOS funds to support initiatives in its PPA and to complete phase two of the VA DEQ Strategic Planning process; this process includes working with Region III to further develop Region III/state coordination for the strategic plan, which will advance the alignment and strategic planning processes.

Virginia currently has a PPA in place and is working on developing a two-year ('05-'06) PPA. Virginia's PPA has many areas of emphasis, including the enhancement of water supply planning and resource availability; the development of multi-year environmental program grants for EPA environmental program grants; and the development of a Performance Partnership Grant (PPG) that combines eligible water grant programs.

Pennsylvania has also established a PPA with the Region. The PPA with Pennsylvania is structured around the regional priorities. Thus, initiatives in the PPA include the formation of new watershed groups, watershed pilot projects, and restoring streams and watersheds; the establishment of an urban revitalization workgroup and storm water pilot projects; and the development of a tracking system that links environment and health impacts to see if an environmental decision could have unevenly distributed negative health impacts.

The Region will continue to promote the establishment of PPAs for those states that do not currently have an agreement. PPAs are beneficial because state agencies may realize administrative cost savings, flexibility in meeting federal match requirements, and the ability to focus funds across various EPA funding sources to address critical environmental priorities. In conjunction with a PPA that focuses state and EPA resources on the most important environmental issues, a state may also be able to reduce duplicative reporting, share its workload with the Region, and receive technical assistance for specific programs. PPGs are also important mechanisms for strengthening partnerships between EPA and states. A recent evaluation of the Performance Partnership System stated that EPA and state staffs have limited experience with collaborative approaches to environmental problem-solving; that strong media program perspectives and loyalties still dominate many aspects of EPA/state relationships; and that there are few incentives for staff to risk new ways of doing business. To address these concerns, Region III will also work with its partners on other activities, through a joint evaluation process, to identify ways to improve the methods for developing, negotiating, and monitoring agreements. In addition, Region III will also provide training on collaborative approaches. The Region will continue to establish partnership agreements, tailored to the needs of the individual states, which further advance a results-based orientation to priority setting and planning.

### **State Engagement in Regional Plans**

Region III understands the importance of collaboration throughout the planning process and, to that end, a high level of state engagement has been maintained throughout the development of the regional plan and the larger cycle of planning, including the EPA annual planning, budgeting and target setting processes, formulation of National Program Manager (NPM) Guidance, and, as described in the preceding paragraphs, in the joint development of PPAs. The products of the EPA/state joint planning efforts will influence planning and budgeting activities in FY 2005 and beyond.

These state partnerships will be utilized and strengthened throughout Region III's planning process. One of the ECOS/EPA Alignment Workgroup's key recommendations for engaging with states is that regional plans should become a primary vehicle for engaging with the states to identify the states' strategic thinking and priorities and to factor the results of this dialogue into the regional plans. The Region has ensured that its states be meaningfully engaged and involved in formulating its regional plan. Region III has discussed the regional plan with all its states and distributed both drafts of its regional plan for comment; the expectation is that with a reasonable amount of time to respond, the states will have the ability to become more involved in the process of formulating the regional plan, thereby ensuring that Region III's plan will be informed by state priorities. The Region is also strengthening its collaborative approach by holding individual planning meetings with all interested states in early May and integrating planning in all the State Directors' Meetings with the Region's Air, Water, Waste, and Enforcement programs.